

1912-021 Chancery Causes: John D. Morgan to vs. W. H. H. Smith to
Lee Co.

Carter, Ramsey, Ely, Woodward, Morrison, Burday

2 Flats

CA-Estate Dispute
T-Property

-Deed

To the Honorable H.A.W.Skeen, Judge of the Circuit Court for
Lee County, Virginia;

The joint answer of Mary E.Bunday and Mark Woodward, infants
under the age of twenty-one years, and ^{Rhea}~~Rhea~~ Woodward, a lunatic,
by Geo.P.Cridlin, their guardian ad litem, assigned to defend them
in this suit, to a bill of complaint exhibited against them et al
by John D.Morgan et al, in this Honorable Court.

Respondents reserving to themselves the benefit of all just
and proper exceptions to the said bill, for answer thereto, or to
so much thereof as they are advised it is material they should an-
swer the same, answering they say:

That respondents the said Mary E.Bunday and Mark Woodward are
infants of tender years; that respondent the said ~~Rhea~~ Woodward,
is a lunatic, and that by reason of their said several disabilities
they are incapable of understanding or of taking care of their rights
and interests. They therefore by their said guardian ad litem, com-
mend themselves and their rights and interests to the protection
of the Court, and pray that no decree may be pronounced which will
tend to their prejudice.

And having fully answered, the said respondents pray to be
hence dismissed with their reasonable costs in this behalf expended,
and they will ever pray &c.

Geo. P. Cridlin
Guardian ad litem for Mary E. Bunday,
Mark Woodward and ~~Rhea~~ Woodward.

Sworn to before me by Geo.P.Cridlin, Guardian ad litem for
Mary E.Bunday, Mark Woodward and Rhea Woodward.

H. E. Cowley, Clerk.

John D. Morgan et al
vs. { In Chy.

W. H. H. Smith et al

Answer of G. A. L.

Filed 1st Aug. Rules 1905.
H. F. Firing
Clerk.

John D. Morgan and othersComplainants.

Vs.

In Chancery.

W.H.H. Smith and others.....Defendants.

This cause came on this day to be heard upon the papers formerly read therein, the report of Special Commissioner R.L. Pennington filed herein on August 28th, 1911, showing a sale of 134 acre Pocket tract of land to L.M. Pennington at the price of \$525.00, the report of R.L. Pennington, Special Commissioner filed herein September 5th, 1911, showing a full payment of the purchase money by W.A. Russell and L.M. Pennington of the several tracts of land purchased by each of them, to each of which reports there are no exceptions, and was argued by counsel.

On consideration of all which, it is adjudged, ordered and decreed that each of the said reports of the said Commissioner Pennington be and the same are hereby approved and confirmed, and the sale of the tract of land known as the Pocket tract containing 134 acres to L.M. Pennington at the price of \$525.00 be and the same is hereby approved and confirmed, and the said L.M. Pennington will take and hold the said tract of land pursuant to the terms of her purchase in this cause. And it further appearing to the court that W.A. Russell and L. M. Pennington have paid the entire amount of purchase money due by them on the lands purchased by them in this cause, it is further adjudged, ordered and decreed that R.L. Pennington, who is hereby appointed as Special Commissioner for the purpose will make, execute and deliver to the said W.A. Russell and L.M. Pennington each a deed of conveyance, with covenants of special warranty, conveying to the said W.A. Russell and L.M. Pennington respectively the tracts of land purchased by them in this cause, and report his action to this term of the court.

And it now appearing to the court that the said R.L. Pennington has made and executed the deeds hereinbefore required of him and has

filed the same in this cause, together with his report thereof on this day, and the said deeds and said report thereof being unexcepted to, each are hereby approved and confirmed, and the said Commissioner is hereby directed to deliver each of said conveyances to the said purchasers. And this cause is continued.

Frederic Maynor

v { Decree
Amfume Sale
+ deeds -

10th Street Stac

Entered in C. O. B
No 9, page 211 &c.

Exeter this Sept

8-1911

H A W 81

John D. Morgan and others.....Complainants.

Vs.

In Chancery

W.H.H.Smith and others.....Defendants

This cause came on this day to be heard upon the papers formerly read therein, and the motion of Elizabeth Morgan, Executrix of the estate, of B.M. Morgan, Lilliam M. Pennington, Laura M. Pride-
more, Maud M. (Pet) Orr, who sues for themselves and Henry Neill Morgan, an infant, suggesting the death of H.M. Morgan, one of the plaintiffs in this cause, and moving the court to revive the said cause in their name as their interest may appear according to the last Will and Testament of B.M. Morgan, deceased, and was argued by counsel.

On consideration of all which and no sufficient cause being shown against granting the prayer of said motion, it is therefore adjudged, ordered and decreed that this cause be proceeded with in the name of the said plaintiffs in lieu of said B.M. Morgan, deceased, as their interest may appear. And this cause is continued.

John D. Morgan & Co

vs { Dear Revision
vs to B. M. Morgan

W. H. H. Smith & Co

Entered in C. C. B.
#9, page 172 to

Enter this May -
1911

It is a law

John D. Morgan and othersPlaintiffs.

Vs. In Chancery.

W.H.H.Smith and others.....Defendants.

This cause came on this day to be again heard upon the papers formerly read therein and the report of Special Commissioner, R.L. Pennington, filed herein on December ¹⁹¹⁰ 19th, showing the execution of the deed to Black Mountain ^{Coal Land} ~~Railroad~~ Company, and was argued by counsel.

On consideration of all which it is adjudged, ordered and decreed that the said report of the said Commissioner be and the same is hereby confirmed, and the said deed is also duly ^{approved and} confirmed.

And it appearing to the court from statement of said Commissioner that the usual fee of \$5.00 has been paid by the said Black Mountain Coal Land Company for the execution of the said deed, said Commissioner is hereby directed to deliver the said deed to the said Black Mountain Coal Land Company. And this cause is continued.

(4)

John D. Morgan et al

20 { Deane Coffin
and to B. W. C. Co -

W. H. Smith et al

Entered in Cat
No 7 page 92

Entered this

Dec-10-1910 -

Hawson

John D. Morgan and others.....Complainants.

Vs.

In Chancery.

W.H.H. Smith and others.....Defendants.

This cause came on this day to be heard upon the papers formerly read therein and the reports of Special Commissioner ^{Robt. L. Pennington} filed herein on 11 day of Nov-, 1910, and December 9th, 1910, and was argued by counsel.

On consideration of all which and it appearing to the court that the purchaser, the Black Mountain Coal Land Company, in the sale heretofore made on the 7th day of September, 1908, of the tract of land known as the 32 acre tract described in the plat made by L.M. Carmical as such, being the same land that was conveyed to the said Henry J. Moggan by L.T. Hyatt, Commissioner, has fully complied with the terms of their purchase, it is therefore adjudged, ordered and decreed that the said sale to the said Black Mountain Coal Land Company of the said tract of land shown in said report, be and the same is hereby approved and confirmed.

It now further appearing to the court from the report last named of said Pennington as Commissioner that the said Black Mountain Coal Land Company has fully complied with the terms of its purchase by the full payment of all the purchase money due by it for said tract of land, and is now entitled to a deed therefor, it is therefore adjudged, ordered and decreed that R.L. Pennington, who is hereby appointed as Special Commissioner for the purpose, will make, execute and deliver a good and sufficient deed with covenants of Special warranty, conveying the said tract of land to the said Black Mountain Coal Land Company, and report his action at a future day of this term. And this cause is continued.

John D. Morgan & Co

78 { Repre Commission
 { care to B. M. L. Co -

W H H Street & Co

Entered in Cl B
 No. 9. page 86 to
 0

Entered this Dec. 9, 1910
 H. A. W. S. L. M.

JOHN D. MORGAN and othersComplainants.

vs.
W. L. H. Smith
~~H. K. FRIDMORE~~

In Chancery.

and othersDefendants.

This cause came on this day to be heard upon the papers formerly read therein and report of R. L. Pennington, Special Commissioner, filed herein, showing that the purchasers W. H. Beasley and others of the Poor Valley tract of land sold to them at the price of \$380,00, has been fully paid; that the said W. H. Beasley, A. H. Parsons, and Charles Baumgardner have sold all their right, title and interest in said property to Thomas N. Sizemore and have executed said Sizemore a deed for said property and have requested that a Commissioner be appointed to convey the title in this cause to the said Thomas N. Sizemore, it is therefore adjudged, ordered and decreed that Robt. L. Pennington, who is hereby appointed a Special Commissioner for the purpose, do execute and deliver to the said Thomas N. Sizemore a good and sufficient deed for the said tract of land, with covenants of special warranty.

And it appearing to the court that the said Pennington has executed said deed required of him hereinbefore, to which there are no exceptions, the said deed is hereby approved and confirmed. And it further appearing to the court that another purchaser in this cause, J. N. Myers has fully completed the purchase by payment of all the purchase money due by him, which payment is reported to court. And it further appearing to the court has requested that joint deed be made to him and his wife, Elizabeth Myers for the said tract of land so purchased by him in this cause, it is therefore adjudged, ordered and decreed that Robt. L. Pennington, who is hereby appointed a Special Commissioner for the purpose, do make, execute and deliver to the said Myers a good and sufficient deed with covenants of special warranty, conveying said tract of land to the said Myers and wife. And it now appearing to the court that the said Pennington has executed the said deed and has reported the same to court, and there being no exceptions thereto the same is hereby approved and confirmed. And this cause is

• best friend

vs 3/20/20

W H Smith & Co

Enter this
Dec 14-1907
14, 2, 10, 31, 1000

Exatored in
C.O.B No 8, page
571 &c

John D. MorganPlaintiff.

Vs.

In Chancery.

W. H. H. Smith and othersDefendants.

This cause came on this day to be heard upon the papers formerly read therein and the reports of R. L. Pennington stating that William J. Lewis and William Garrett have complied with the terms of their purchase by the payment of the purchase money due by them and are entitled to deeds, and was argued by counsel.

Upon consideration of all which and the said report of the said Pennington being unaccepted to, it is therefore adjudged ordered and decreed that Robt. L. Pennington, who is hereby appointed a special Commissioner for the purpose, will make, execute, and deliver to the said William J. Lewis and William Garrett, good and sufficient deeds with covenants of special warranty, conveying to the said Lewis and Garrett the lands purchased by them.

And it further appearing to the court that Robt. L. Pennington who was hereinbefore appointed to make, execute, and deliver to William Lewis and Wm. Garrett deeds for the land purchased by them in this cause, that the said Pennington has made said deed so ordered to be made as appears by his report filed herein; and the said deeds from the said Pennington and said report being unaccepted to, the same is hereby approved and confirmed. And this cause is continued.

John D. Mayors has

is. } Meru Chief
 } 2 Dues. to
 } Lewis & Clark

W.H. Smith has

Entered in COB

#8, page 377.

Entered this May 13
1908.

Hawthorn

JOHN D. MORGAN, ET. AL.....COMPLAINANT.

Vs.

IN CHANCERY.

W. H. H. SMITH, ET. AL.DEFENDANT.

This cause came on this day to be heard upon the papers formerly read therein and the report a special commissioner R. L. Pennington, filed herein on ^{Nov 15 Showing sale of the Poor Valley} December, 11, 1906 showing that N. M. Shelburne has paid the whole of the purchase money due by him for the tract of land purchased by him in this cause and that said Shelburne is now entitled to deed of conveyance for the same, ^{and was ordered by Council to prepare} and it is ~~further~~ adjudged, ordered and decreed that R. L. Pennington who is hereby appointed a special commissioner for the purpose will make, execute and deliver to the said Shelburne a good and sufficient deed of conveyance, conveying said tract of land so purchased by ~~it~~ him in this cause to the said N. M. Shelburne with covenants of special warranty and report his action to this court.

And it appearing to the Court that the said Pennington who ^{was} ~~is~~ hereinbefore directed to make, execute and deliver to N. M. Shelburne, ^{a deed for the} land purchased by him in this cause, has made said deed and has herewith filed the same with his report and said report and said and said deed being unaccepted the same is hereby approved and confirmed, ~~and this cause is con-~~

~~tinued.~~ It is further adjudged ordered & decreed that the said sale of said Poor Valley tract of land be & the same is hereby confirmed, & this cause is continued.

Land to A. F. Pereno. W. H. H. Smith & Chas. Pennington & report filed

John D. Meyer

v $\frac{2}{3}$ Decem

W H Smith & Co

Entered in C.B.

8, page 237 re.

Enter this Dec

12, 1906.

J. C. W. Smith

John D. Morgan et al

Complainants

vs

In Chancery

W.H.H. Smith et al

Defendants.

This cause came on this day to be heard upon the papers formerly read therein, and motion of special commissioner, Robert L. Pennington for permission to receive payments upon all and any notes which were executed to him for the purchase price of land sold by him in this cause, and was argued by counsel.

On consideration of all which, and no exceptions being taken to said motion, leave is hereby granted the said Pennington, to receive payments from said purchasers, at any time they may see cause to pay the same, even before said notes are due and payable. And this cause is continued.

John D. Morgan & Co

y. $\frac{2}{3}$ Decre

W H Sweet & Co

Entered in C. D. B.
8 Page 178.

Enter this Decree

May 28, 1906

J. A. W. Stein

John D. Morgan, et al,

Complainant,

vs In Chancery,

W.H.H. Smith, et al,

Defendants.

This cause came on this day to be heard upon the papers formerly read therein and the report of Special Commissioners I. W. Carmicle et al, filed herein on the ~~12~~ 7th day of December, 1905, and was argued by counsel.

On consideration of all which, and the said report of said commissioners being unexcepted to the same is hereby approved and confirmed. And the clerk of this court will record the said report of said Commissioners, together with the decree appointing them and this decree in the proper deed book, and tax the cost thereof as part of the costs of this suit.

And this cause is continued.

Record # (3)

John D. Morgan, et al Comp.

vs: Decree.

W.H.H. Smith et al, Defts.

.....

Entered in C.O.B.
No. 8, Page 115

Enter this decree X

Dec. 13, 1905.

H. A. W. Stone

Recorded in Decree
Book 60. p. 226

James D. Morgan, et al,

Plaintiffs.

vs.

In Chancery

W. H. H. Smith, et al,

Defendants.

This cause came on this day to be heard upon the bill of the complainants, and exhibits therewith, and the answers of Mary E. Bundy and Mark Woodward, infants, and R. Lee Woodward a lunatic, by thier Guardian Ad Litem, George P. Cridlin, and general replications thereto, and was argued by counsel. And it appearing to the court that the adult defendants, W. H. H. Smith, D. H. Smith, Victoria Morrison and R. Lee Woodward have been duly proceeded against by order of publication duly made, posted and published as the law required, and that each failing to appear plead, or answer the said bill of said complainants is hereby taken for confessed. And it further appearing to the court that the heirs of H. J. Morgan mentioned in the bill and James D. Morgan own jointly several tracts of land, the partition of which has been prayed for in the bill of said complainants. It is therefore adjudged, ordered and decreed that L. M. Carmical, Josephus Grabeel and Harrison Eads who are hereby appointed Special Commissioners for the purpose will go upon said lands mentioned in said bill as the joint property of the estate of H. J. Morgan and J. D. Morgan and partition the same between said Morgan's estate and said James D. Morgan, and make and report in this cause, at as early a day as practicable. And it further appears to the court that the lands owned by said H. J. Morgan are scattered in different portions of the County, and that it would be impracticable to partition in kind the real estate left by the said H. J. Morgan among his heirs, it is therefore adjudged, ordered and decreed that the same be sold, and to effect this purpose R. L. Pennington is hereby appointed a Special Commissioner, who will, after the said Carmical,

Grabeel and Eads have made thier report, proceed to advertise said several tracts of land in the bill mentioned for sale at such time as he may think best, and make sale thereof at the front door of the Court-house of this County, to the highest and best bidder on a credit of one and two years time, except he will require to be paid in hand 10% of the purchase price, and from the purchaser he will require good personal security for the deferred payments. Before making said sale, said Pennington is hereby required to execute bond before the clerk of this Court in the penalty of \$20,000.00 conditioned as the law reuires; and also advertise said land by written or printed notices or by publication in the News Paper published in Lee County for at least thirty days prior to said sale. The said Pennington is authorized to receive private bids at any time before the sale will be made at public auction, but said land shall be offered at public sale, not-with-standing any private bid that may be offered for the same, and at the public sale to be made under this decree the land shall be started by said commissioner at the price of the highest bid offered privately, and the said Pennington will report his action to the next term of this Court. And this cause is continued.

Record # (1)
James D. Morgan, et al.
vs. } Duice
H. H. H. Smith, et al.

Entered in C. O. B.
No. 8, page 43.

Enter this name
Sept 20, 1905.
H. C. W. Stone

Recorded in deed
Book 60 - p 226

Done

VIRGINIA,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Wednesday the 20th day of September, 1905.

James D. Morgan,

Plaintiff

Vs. In Chancery.

W. H. H. Smith, et al

Defendants.

This cause came on this day to be heard upon the bill of the complainants and exhibits therewith, and the answers of Mary E. Bundy and Mark Woodward, infants and R. Lee Woodward, a lunatic, by their Guardian ad Litem, George P. Gridlin, and general replication thereto, and was argued by counsel. And it appearing to the Court that the adult defendants, W. H. H. Smith, D. H. Smith, Victoria Morrison, and R. Lee Woodward, have been duly proceeded against by order of publication duly made posted and published as the law required, and that each failing to appear, plead, or answer the said bill of said complainants is hereby taken for confessed.

And it appearing to the Court that the heirs of H. J. Morgan mentioned in the bill and James D. Morgan own jointly several tracts of land, the partition of which has been prayed for in the bill of said complainants. It is therefore adjudged, ordered and decreed that L. M. Carmical, Josephus Grabeel, and Harrison Eads, who are hereby appointed Special Commissioners for the purpose, will go upon said lands mentioned in said bill as the joint property of the estate of H. J. Morgan, and J. D. Morgan, and partition the same between said Morgan's estate and said James D. Morgan, and make and report in this cause at as early a day as practicable. And it further appears to the court that the lands owned by said H. J. Morgan are scattered in different portions of the County, and that it would be impracticable to partition in kind the real estate left by the said H. J. Morgan, among his heirs, it is therefore adjudged, ordered and decreed that the same be sold, and to affect this purpose, R. L. Pennington, is hereby appointed a Special Commissioner, who will, after the said Carmical, Grabeel, and Eads have made their report, proceed to advertise said several tracts of land in the

bill mentioned for sale at such time as he may think best, and make sale thereof at the front door of the Court-house of this County, to the highest bidder, on a credit of one and two years time, except he will required to be paid in hand 10% of the purchase price, and from the purchaser, he will require good personal security for the deferred payments. Before making said sale, said Commissioner Pennington, is hereby required to execute bond before the Clerk of this Court in the penalty of \$20,000.00, conditioned as the law requires; and also advertise said land by written or printed notices or by publication in the Newspaper published in Lee County, for at least thirty days prior to said sale, the said Pennington is authorized to receive private bids at any time before the sale will be made at public auction but said land shall be offered at public sale, notwithstanding any private bid that may be offered for the same, and at the public sale to be made under this decree, the land shall be started by said Commissioner at the price of the highest bid offered privately, and the said Pennington will report his action to the next term of this court.

And this cause is continued.

A Copy-Teste: N. C. T. Ewing
Clerk.

James D. Morgan
vs. Deere
N. H. H. Smith et al

copy

R. L. Pennington,

Clerk 509

VIRGINIA,

At a Circuit Court continued and held for Lee County, at the Court-house thereof, on Wednesday the 30th day of September, 1905.

James D. Morgan,

Plaintiff,

Vs. In Chancery

W. H. H. Smith et al

Defendants.

This cause came on this day to be heard upon the bill of the complainants, and exhibits therewith, and the answers of Mary F. Bundy and Mark Woodward, infants and R. Lee Woodward, a lunatic, by their Guardian ad Litem, George P. Gridlin, and general replication thereto, and was argued by counsel. And it appearing to the Court that the adult defendants, W. H. H. Smith, D. H. Smith, Victoria Morrison, and R. Lee Woodward, have been duly proceeded against by order of publication duly made posted and published as the law required, and that each failing to appear, plead, or answer the said bill of said complainants is hereby taken for confessed.

And it appearing to the Court that the heirs of H. J. Morgan mentioned in the bill and James D. Morgan own jointly several tracts of land, the partition of which has been prayed for in the bill of said complainants. It is therefore adjudged, ordered and decreed that L. M. Carmical, Josephus Grabeel, and Harrison Eads, who are hereby appointed Special Commissioners for the purpose, will go upon said lands mentioned in said bill as the joint property of the estate of H. J. Morgan, and J. D. Morgan, and partition the same between said Morgan's estate and said James D. Morgan, and make and report in this cause, at as early a day as practicable. And it further appears to the Court that the lands owned by said H. J. Morgan are scattered in different portions of the County, and that it would be impracticable to partition in kind the real estate left by the said H. J. Morgan, among his heirs, it is therefore adjudged, ordered and decreed that the same be sold, and to affect this purpose, R. L. Pennington, is hereby appointed a Special Commissioner, who will, after the said Carmical, Grabeel and Eads, have made their report, proceed to advertise said several tracts of land in the bill

mentioned for sale at such time as he may think best, and make sale thereof at the front door of the Court-house of this County to the highest bidder, on a credit of one and two years time, except he will required to be paid in hand 10 % of the purchase price, and from the purchaser, he will require good personal security for the deferred payments. Before making said sale, said Commissioner Pennington, is hereby required to execute bond before the Clerk of this Court in the penalty of \$20,000.00, conditioned as the law requires; and also advertise said land by written or printed notices or by publication in the Newspaper published in Lee County, for at least thirty days prior to said sale, the said Pennington is authorized to receive private bids at any time before the sale will be made at public auction but said land shall be offered at public sale, notwithstanding any private bid that may be offered for the same, and at the public sale to be made under this decree, the land shall be started by said Commissioner at the price of the highest bid offered privately, and the said Pennington will report his action to the next term of this court.

And this cause is continued.

A Copy-Teste: V. C. L. Ewing,
Clerk.

James D. Morgan

vs. Decece

N. H. H. Smith et al

Copy

Exhibited by
Following a copy to
L. M. Carmichael
Josephine Grace
Harrison Eddles
R. L. Perryman
The 14th day of
Oct 1905
W. B. Shook D. S.
for P. M. Ball

De Clerk, 50¢

Sherry per 2.00

James D Morgan
vs
W. H. Smith et al } In Chy

The evidence of Nathan Morgan
given before L. M. Carmichael, Harrison Eads
and Thomas Eads Commissioners appointed
to partition the lands of H. J. Morgan
& J. D. Morgan in the above styled Cause

Ques. What is your name, age, occupation
and residence?

A. N. Morgan. Farmer, Verdoot
Va., and 48 years of age.

Ques. Upon what or whose lands do
you now reside.

A. H. J. & J. D. Morgan.

Ques. Who built the dwelling house born
and other out houses you now
occupy.

A. I did myself.

Ques. Did you furnish your own money
and means in their erection, or
did H. J. Morgan furnish any
part thereof or thereafter.

A. I furnished every thing myself
without any expense to him or
my father J. D. Morgan either.

After building, H. J. Morgan, talked to me about the building, and said that should the lands ever be divided between himself and father, as I had done the building myself, that it would not be right to take the building in such partition.

And further this defendant says he
not.

Personally appeared before me B. L. Campbell justice in and for the county the within named C. N. Morgan, and made oath in due form of law to the above questions therein propounded to the said Morgan. Given under my hand this 30 day of November 1905
B. L. Campbell J.P.

J. D. Morgan

vs

W. H. Smith et al

In Chy.

Pursuant to an order of the Circuit Court of Lee Co. Va. We the undersigned Commissioners have partitioned the lands owned jointly by J. D. & H. J. Morgan according to the following plot and report.

We found said lands composed of four separate Tracts, two of them known as the Hubbard and Bell or Hesser tracts, lying near Hogover, and the other two known as the Britton lands and not far from Ewing.

We ascertained the area of the two first named tracts to be about 220 acres, and with due regard to quantity and quality we have endeavored to divide them into two equal parts, one of these parts, Lot No 1 by plot we have laid off and assigned to J. D. Morgan the sites & bounds of which are as follows: Beginning at (A) a spanish oak, white oak and dogwood (now gone but the south east corner of the Hubbard 151 acre tract) thence with original marked line N 62 1/2 W 279 poles to (B) a stake (with pointers) on a spur of Poor Valley ridge. Thence with line of Lot No 2 N 13 1/4 E 189 poles to (D) a stake on the original south line (in or near the sugar run road) thence with said original line N 75 1/2 E 209 poles to the beginning containing 123 acres more or less.

We have laid off and assigned to the heirs of H. J. Morgan Lots No 2 and 3, which are equal in value to one half of said Hubbard & Hesser tracts. Lot No 2 is bounded by the following described lines. Beginning at (C) a stake on the south original line, on the bank of the Sugar Run road, thence with a marked line, polliney 3 feet east of a marked sugar tree N 13 1/4 W 189 poles to (B) a stake

Filed Dec. 7 1905
J. D. Morgan
J. D. Morgan

on a spur of the Poor Valley ridge and with pointers thence with original lines to the beginning as follows S 59° W 68 poles to (D) a chestnut & Beech (now gone) in a field N 7½° E 64 poles to (E) a chestnut-oak on top of Poor Valley ridge West 29 poles to (F) a stake S 13° 20' E 230 poles to (G) a stake at a fence N 75° E 68 poles to the first station - Containing 80 acres more or less. The lines of Lot No 3 are as follows: Beginning at (A) two horn beams at a branch - thence with the original lines of Partition to the beginning as follows S 45° W 23 poles to (B) a chestnut-oak & dogwood N 33½° W 57 poles to (C) the Sugar Run road & with it N 64½° E 24 poles to (D) a stake in a field - thence S 31½° E 49 poles to the beginning (Containing 7½ acres, more or less).

Out of the Brittain Tracts of land, we have laid off and assigned to the heirs of N. J. Morgan Lots No 4, 5 & 6 which we regard equal in value to one half of said Brittain Tracts of land, when we do not consider the value of the buildings thereon which were erected by C. N. Morgan at his own expense (See his sworn statement herewith filed). Lot No 4 is bounded as follows Beginning at (A) 3 large white-oaks - an original corner - thence with original line S 80° 4' W ¾ poles to (B) a stake in a pull-o-wood and the middle of a lane thence following original line N 51° W 44 poles to (C) a stake in a field S 85° E 100 poles to (E) a stake N 6¾° E 79½ poles to (F) a stake on the original north line and with the same N 87° E 69 poles to (G) a fallen oak & poplar, thence with original line to the beginning as follows S ½° W 11½ poles to (H) a stake S 81½° W 93½ poles to (I) a stake in a muddy branch N 81° 4' W 76½ poles to the beginning Containing 80 acres more or less. The metes and bounds of Lot No 5 are as follows to wit: Beginning at (J) a large poplar thence with original line S 83° 6' E 19 poles to (K) a sugar tree S 10¾° W 30 poles to (L) a stake S 70° 26' E 10 poles to (M) a stake S 4° 26' E 10 poles to (N) a stake S 24½° W 7.64 poles to (O) a

stake on top of a spur S 84° 10' 80 poles to (P) a stake thence
N 7° 14 1/2' poles to (Q) a stake in the Poor valley and on the original
north line, and 17 links west of a spring thence with original
line to the beginning as follows: N 73° 6' 74 poles to (R) a stake
near a fence S 10° 22' 69 poles to (S) a sugar-tree and ash (now gone) S 42° 1/2' W
4 poles to (T) a buckeye, ash and Lymn (now down) and on top of the Poor
Valley ridge S 20° W 12 poles to the beginning - Containing
60 acres, more or less. Lot No 6 is described as follows
Beginning at (U) a stake (with abstract pointers) on the
north original line thence with line of Lot No 6 S 3° W 120
poles to (V) a stake on the south line of tract and with same
south line S 55° E 75 poles crossing a branch of junipers
(now gone) by a fence thence with original line N 3° E 110 poles
to (X) a stake near a hollow - the N. E. Corner of the Original
tract thence with original north line N 48° W 80 poles
to the beginning Containing 44 acres more or less
Out of the said British tracts of land, we have laid off and
assigned to J. D. Morgan Lots 8 & 9. Lot No 8 is bounded
as follows - Beginning at (B) a stake in a lone & corner to Lot
No 4 thence with line of same N 5° W 44 poles to (C) a stake
in a field S 85° E 100 poles to (E) a stake N 6° 3/4' E 78 1/2' poles
to (F) a stake on the north original line and with
the same S 87° W 18 1/2' poles to (O) a stake on top of a spur corner
to Lot (5) and with line of same S 89° 1/4' W 80 poles to (P) a stake
thence N 9° W crossing top of Poor valley ridge 114 1/2' poles to
(Q) a stake in the Poor valley and on the original north line
and 17 links west of a spring. thence with said line
S 73° W 133 poles to (a) a stake in a branch, thence with the
meanders of said branch and Lone Bowles line S 14° E 6 1/2' poles
S 15 1/2' W 4 1/4' poles S 8° W 10 poles S 32 1/2° E 8 poles S 48° E 16 1/2' poles S 67 1/2° E 6 poles
to a rock near the mouth of a branch S 17° W 27 1/2' poles to (b) on
the old original line & with the same N 87° E 59 1/2' poles

to (C) a stake in a hollow, thence with fences & original lines to the beginning as follows S $3\frac{3}{4}$ W 76 poles to (d) a stake at a branch in public road S $7\frac{3}{4}$ W 50 poles to a stake (e) and large hick near branch N $8\frac{1}{2}$ E 80 poles to the beginning Containing 175 acres more or less. From this agreement we except the school house lot and an acre held adversely by inclosure & profession. Lot No 9 is located as follows Beginning at (f) a sourwood white oak & stake thence with the original or Willis line N 27 W $24\frac{1}{2}$ poles to (g) a stake on the Fields line and with the same N 74 E 28 poles to (h) a white oak snag on a flat N $19\frac{1}{2}$ W $66\frac{1}{2}$ poles to (i) a hickory N 38 E $19\frac{1}{2}$ poles to (j) a large chestnut stump S 70 E $38\frac{3}{4}$ poles to (k) a black oak near the big lake S 48 E $15\frac{1}{2}$ poles to (l) a stake and chestnut pointers thence with line of Lot No 6, S 3 W 120 poles to (v) a stake on the south original line and with the same N 55 W 60 poles to the beginning Containing 39 acres more or less. This Lot (No 9) shall have a convenient right of way through Lot No 6 for use of wagons etc. Also Lot No 5 shall have a convenient haul way through lot No 8.

Respect submitted.

L. M. Carnichael }
 Harrison Eads } Com
 Thomas Eads }

Bill of cost

L. M. Carnichael sur & com	37.50	pd
Harrison Eads 5 days @ 2 =	\$10.00	pd
Thomas Eads "	10.00	pd
Patton Morgan ch 2 day - - -	2.00	pd
James I " 3 1/2 - - -	5.50	pd
Andrew Myers 1 1/2 - - -	1.50	pd
Smith 2 1/2 - - -	2.50	pd
Truett Myers 1 1/2 - - -	1.50	pd
"Old man" Chudwell 3 1/2 - - -	3.50	pd
James Rogers 3 1/2 - - -	3.50	pd
Byrd Bailey 2 1/2 - - -	2.50	pd
3 1/2 Total	\$76.00	Emrr -
	80.00	should be -

Record # (2)
John D. Maynor et al

v $\frac{4}{2}$ Report of
 $\frac{4}{3}$ Partition

W. H. H. Smuck et al

Filed Dec. 7, 1905

H. C. Young
Clerk.

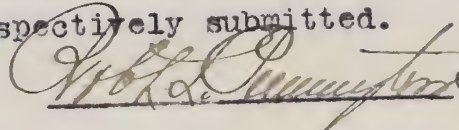
Recorded in Deed
Book 60 - P 92 64

Partition Costs 76.06
See within
Hearings Sheet

Pennington Bros.
ATTORNEYS AT LAW
ONESVILLE AND PENNINGTON GA. VA.

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County:

To the undersigned special commissioner in the Chancery cause of John D. Morgan et al against W. H. Smith et al begs leave to report that on the 24th day of Sept. 1903, I made sale of the 18 acre Peer Valley tract of land belonging to the estate of H. J. Morgan at the price of \$380 to A. L. Parsons, W. H. Beasley and Charles Baumgardner said purchasers paid your commissioner \$38 in cash and executed two notes for \$171 each due in one and two years respectively from the date thereof, bearing interest from date. Your commissioner regards this sale as advantageous and recommends the confirmation therefore. Respectively submitted.

 Commissioner.

John D. Myners & Co
v. { Report of
{ Sale of Poor
{ Valley Lands

H. H. Smith & Co

Nov. 15, 1906 -

File 3.

To the Honorable H. A. W. Skeen, Judge of the Circuit Court For
Lee County:

Your undersigned commissioner in the Chancery cause of J. D.
Morgan et al against W. H. H. Smith et al, begs leave to report that
William Garrett, purchaser of a small tract of land in said cause,
has complied with his purchase by payment in full of the purchase mon-
ey due by him and is now entitled to a deed.

Respectfully submitted.

Robt L Cunningham Commissioner.

John D. Maynor & Co

vs. } Report of Council
 } Showing payment
 } by Smith.

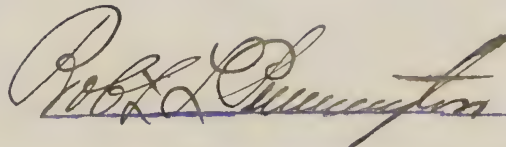
W.H. Smith & Co

Filed May 13, 1908


To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County.

In the Chancery cause of John D. Morgan against W. H. H. Smith and others your undersigned special Commissioner begs leave to report that one of the purchasers, William J. Lewis, who purchased the lands known in this cause as the Eagle land has complied with his purchase since the last term of the court by paying the balance of the purchase money due by him and is now entitled to a deed therefor.

Respectfully submitted.

 Commissioner.

John S. Morgan & Co

vs.  Report of Court
showing payment
by W. F. Lewis.

W. H. Smith & Co

~~~~~

Filed May 13, 1908



To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee  
County, Virginia:

Your undersigned Special Commissioner, in the Chancery cause of  
John D. Morgan and others vs. W. H. H. Smith, begs leave to report  
that the tract of land sold to W. H. Beasley and others, known as the  
Poor Valley tract of land, has been paid for by the purchasers thereof  
and said purchasers have sold the said tract of land to Thomas N.  
Sizemore and requested deed to be executed direct to the said Sizemore.  
Your commissioner further reports that another one of the purchasers,  
to-wit, James N. Myers, has completed his purchase by the payment of the purchase money due by him, said Myers requests that a  
deed be made to himself and wife, your commissioner knows of no reason why  
said request should not be complied with. Said parties are entitled to deeds which decree should so direct.

Robert L. Huntington Commissioner.



entitled to lands which doored should be direct.

Commissioner.

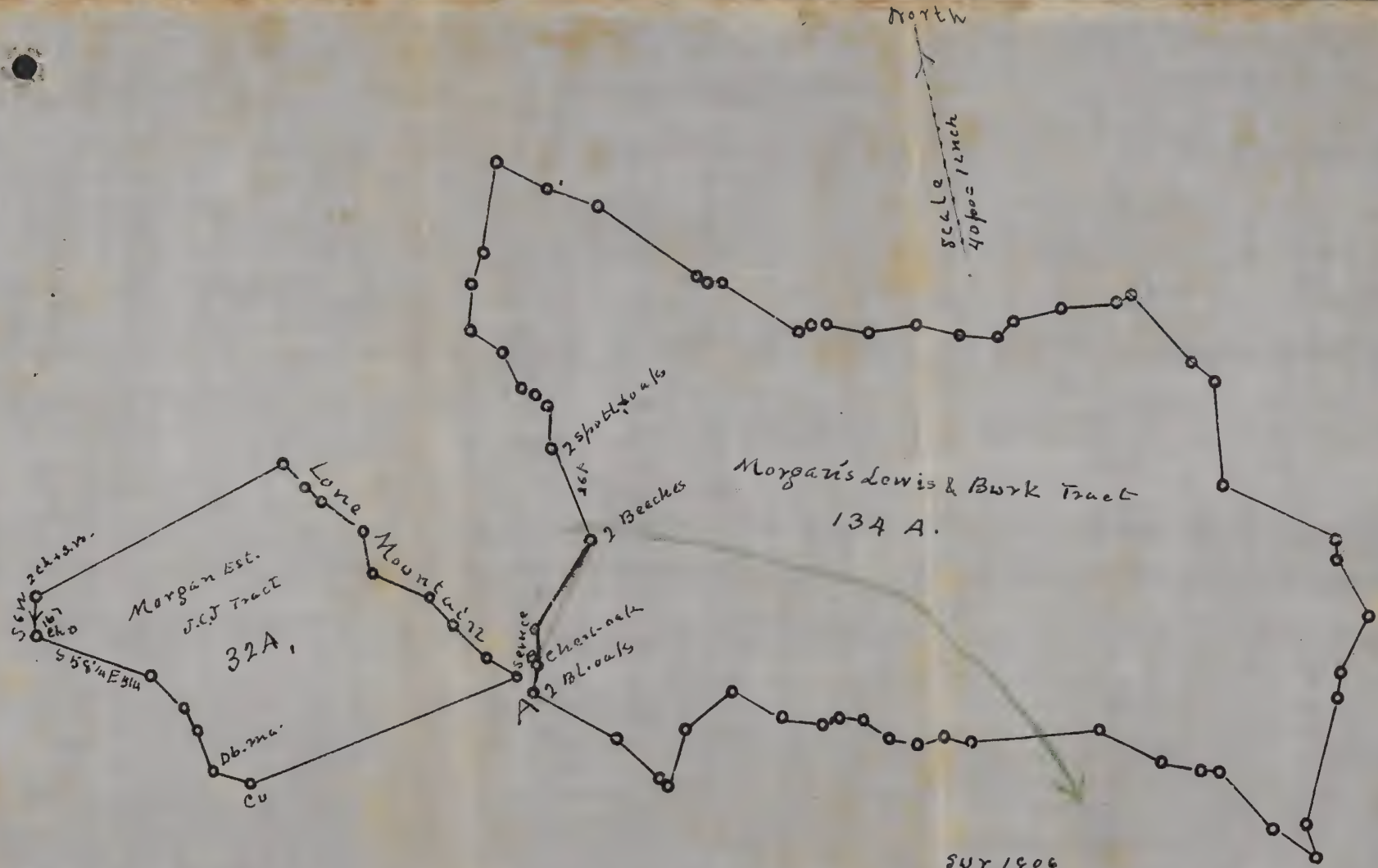
FOR MY SAID REPORT ABOUT THE BE COMPLETED WITH. SAID REPORT FOR THE  
GIVEN BE MADE TO JIMMY AND WIFE, YOUR COMMISSIONERS KNOWS OF NO RES-  
TITUTION OF THE PURCHASE MONEY DUE BY HIM, SAID MYERS REQUESTS THAT A  
CHASERS. TO-WIT JAMES N. MYERS, HAS COMPLETED HIS PURCHASE BY THE  
MORE. YOUR COMMISSIONERS FURTHER REPORTS THAT ANOTHER ONE OF THE PUR-  
SIZEMAN AND REQUESTED NEED TO BE EXECUTED DIRECT TO THE SAID SIZ-  
AND SAID PURCHASERS HAS SOLD THE SAID FIRST OF LAND TO THOMAS N.  
POOR ALLEY FIRST OF LAND, HAS BEEN PAID FOR BY THE PURCHASERS THE RE-  
FIRST OF THE FIRST OF LAND SOLD TO M. N. BEASLEY AND OTHERS, KNOWN AS THE  
JOHN D. WORKMAN. JAMES N. MYERS, W. H. N. SMITH, BEEN LEAVE TO REPORT

THE COMMISSIONERS REQUESTS THAT THE COMMISSIONERS BE COMPLETED WITH.

County, Virginia:

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee





SUR, 1906

L.M. Earnical



Lewis & Burk Tract  
(134 Acres)

Beginning at 2 blackouts on the  
top of Lone Mountain corner to Henry  
C. Woodward road thence with his road  
down a leading spur

N 14 1/2 E 7.5 poles to a large chestnut oak

N 20 1/2 E 10 " " " " Chestnut & gum

N 40 1/2 E 24.95 poles to two beeches on the west  
side of a branch thence crossing  
said branch

N 9 30' W 26 poles to two spotted oaks <sup>with top of said spur</sup> on a spur thence

N 5 45 E 10.7 " " small chestnut

N 46 W 8.75 poles to a stake

N 15 W 10 " " " Spotted oak

N 42 3/4 W 9.75 poles to a chestnut oak

N 8 E 11.50 " " Stake

N 29 E 8.70 " " rock

N 18 E <sup>23.90</sup> 23.8 poles to a stake on a high point and  
on the outside line (or landing house line)  
thence with the top of a ridge & saw  
line

S 47 1/2 E 14.70 poles

S 58 E 13.30 "

S 42 E 30.30 "

S 46 1/2 E 3.00 "

S 79 E 3.70 "

S 45 39' E 23.00 "

N 73 1/2 E 3.70 "



S 82° E 4 poles

S 67° E 10 <sup>50</sup>/<sub>100</sub> poles

S 87½° E 12.40 "

S 64¾° E 11.80 "

S 75° 40' E 10.20 "

N 51¼° E 5.50 "

N 87° 5' E 12.40 "

S 85¼° E 14.20 "

N 72° 40' E 5.10 " to a stake on a high point  
thence continuing with top of ridge

S 28½° E 23.4 poles

S 46° 5' E 7 "

S 6½° E 26.50 poles

S 52° E 31.20 " to a stake on top of high  
point and on or near the beginning  
of the Burk deed thence continuing  
with lines of some & outside line of  
original tract

S 1½° W 4.60 poles to a double chestnut on the  
top of a point

S 16° E 16.60 poles to a gum on a flat

S 37½° W 16 " " to a white oak

S 13¾° W 7. poles to a black oak on a point

S 26¾° W 33.70 " " Spotted oak.

S 2° 24' E 8.70 " " black & spotted oak on a  
hill side corner to John Stapleton's



land out with lines thereof

N 41½ W 13.00 poles to a gum

N 32 W 19.00 " " " white oak

N 71 50 W 4.50 " " hickory on the point of a ridge

N 54 W 10½ poles to a Chestnut

N 58 W 17.11 " to a chestnut & maple corner to the Edwards tract & with lines of same including it and also with lines of said John Stapleton tract

N 83½ W 32.50 poles to a spotted stake and spotted oak on a spur thence with said spur and original line

N 69½ W 7 poles to a stake

S 86° 50 W 7.00 poles to a white oak

N 67¼ W 7.10 " " gum

N 42¼ W 8.22 " " gum & chestnut

N 73 W 6 poles to a stake on a high point

S 78½ W 5 " to a stake

S 65½ W 9.75 poles to a chestnut

N 52 W 14.20 " " a small locust on a high point.

S 64½ W 15.20 poles to a stake on top of said ridge & corner to the Daniel Martin deed and with line of same

S 28 W 15.60 poles to a stake on top of the <sup>lost</sup> ~~lost~~



End of Lone Mountain thence with  
the top thereof as it meanders

N  $31\frac{1}{2}^{\circ}$  W 3 poles

N  $35^{\circ}25'$  W 14.75 poles

N  $50^{\circ}10'$  W 23 poles to the beginning

Containing 134 acres

Surveyed July 1906

By D. M. Carmichael



J. C. Johnston tract  
(32 Acre)

Beginning at 2 Chestnut & sound  
Corner to E. T. Evans land - thence  
with the top of a spur.

S 6 W 167 feet to a large chestnut oak  
(Corner to T. B. Jones) thence  
with the meanders of a ridge

S 58 $\frac{1}{4}$  E 514 ft

S 34 $\frac{3}{4}$  E 201 ft

S 18 $\frac{3}{4}$  E 112 ft

S 8 $\frac{3}{4}$  E 170 ft to a double Maple

S 58 $\frac{3}{4}$  E 161 ft to a cucumber on the west  
side of a branch

N 80 $^{\circ}$  44' E 1210 ft to a service on top of Lone  
Mountain thence with the  
top of said Mountain

N 45 $\frac{1}{4}$  W 155 ft

N 34 $\frac{1}{4}$  W 202 ft

N 28 $^{\circ}$  55' W 157 ft

N 53 $\frac{1}{2}$  W 255 ft to a chestnut oak thence  
continuing with top of said  
Mountain

N 0 $^{\circ}$  15' W 178 ft

N 40 $\frac{1}{2}$  W 223 ft

N 32 $\frac{3}{4}$  W 90 feet

N 30 $\frac{1}{4}$  W 134 ft

S 74 W 1215 ft to the beginning  
Containing 32 Acres.



Aug 6<sup>th</sup> 1906

R. L. Pennington Sr.

To L. M. Carrick - surveying <sup>H. J.</sup> the Morgan Packet  
loads composed of the foregoing described 32A & 134A  
Tracts \$ 25.00

Expenses of land - - - - - 20.43  
45.43



John Morgan

23. { Report of  
L. M. Connelley  
of  
Mountain  
Lois-

W. H. Burnett & Co.  
~~~~~  
~~~~~



John D. Morgan and others .....Plaintiffs.

Vs.

W.H.H. Smith and others .....Defendants.

To the Hon. W. A. W. Sheen, Judge of the District Court for Lee County.

Your undersigned special Commissioner in the above styled cause begs leave to report that on September 7, 1908, after having advertised the time, terms and place of sale according to decree pronounced in this cause, offered for sale at the front door of the court house of Lee County a tract of 32 acres, being the land described in the bill as part of tract No. 14 and called the 50 acre tract, and being the same tract known as the 40 acre tract conveyed to J. D. Morgan by L. T. Hyatt, Commissioner, by deed dated December 12th, 1904, recorded in N. E. 31, p. 75, and which conveyance your Commissioner had L. M. Gamble to make survey of, which survey their appears to be 32 acres as will more fully appear by said surveyors report and plat filed herewith as part of this report, at which sale made as aforesaid, the Black Mountain Coal Land Company became the purchaser thereof at the price of \$2250.00, the said purchaser paid to your commissioner on that date the sum of \$25.00 and through its general manager agreed to execute notes for the balance due in one and two years from the date of the said sale, but for some reason the notes were not executed until the 22nd day of January, 1910, and the first deferred payment thereon amounting to the sum of \$141.24 was on that day, namely, January 22nd, 1910, paid to your Commissioner. The other note which became due on September 7, 1910, still remains unpaid. Your Commissioner reports that said sale is as good as can be expected and he respectfully recommends confirmation therefor.

Respectfully submitted.

W. H. H. Smith Commissioner.



John S. Menger

Report of  
to Secy of  
Interior  
Montone  
Trust

W. H. Bennett

Report of Plot -

Filed Nov 11-910

H. C. T. Ewing,  
Clerk.

12502

- 31

73-0

51-3

881

5th -



John D. Morgan and others.....Plaintiffs.

Vs. In Chancery.

W.H.H. Smith and others.....Defendants.

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee  
County, Virginia.

Your undersigned Special Commissioner in the above styled cause  
who was heretofore appointed as Special Commissioner by a decree en-  
tered therein to make, execute and deliver to the Black Mountain  
Coal Land Company, a deed of conveyance, conveying <sup>to it</sup> the tract of land  
purchased by them in this cause known as the 3~~2~~ acre tract, begs  
leave to report that he has complied with the said decree by execu-  
ting the deed required of him and here with files the said deed as  
part of this report duly executed and acknowledged.

Robt L. Pennington Special Commissioner.



John D. Morgan - et al

vs. { Report of  
Deed to B. M. L. Co

W. H. H. Sweet et al -

Filed Dec. 10 1910 -

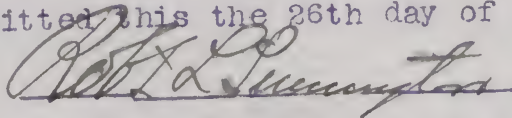
S. C. G. Ewing,  
Clerk.



To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Your undersigned Special Commissioner in the Chancery cause of John D. Morgan and others, begs leave to report that pursuant to decree entered in the Chancery cause of John D. Morgan and others against W.H.H. Smith and others, after having advertised the time, terms and place of sale as required in the said decree, proceeded on the 22nd day of July, 1911, to make sale of the tract of land known as the Pockett tract containing 134 acres more or less located near St. Charles on the waters of ~~Rack~~ Lick, and more fully described by survey made by L. M. Carmical and filed in this cause. Said tract is sometimes known as the Lewis & Burke tract, at which sale L.M. Pennington made the last and highest bid therefor at the price of \$525.00. Your Commissioner acknowledges receipt of the cash payment of ten per cent and notes executed for the remainder in two equal installments due in one and two years from date of sale, with interest from date of sale.

Respectfully submitted this the 26th day of August, 1911.

 Special Commissioner



SALE OF VALUABLE COAL PROPERTY.

John D. Morgan et al .....Complainant.

Vs. In Chancery.

W.H. H. Smith et al .....Defendants.

Whereas by a decree entered in the above styled cause now pending in the Circuit Court of the County of Lee requiring the undersigned Special Commissioner to make sale of certain lands in the said cause mentioned; and, whereas one of said tracts of land has not heretofore been sold, therefore

T A K E      N O T I C E

That on the 22nd day of July, 1911, at the front door of the Court-house of Lee County, I will offer for sale, at public outcry, to the highest bidder, a tract of land containing by recent survey one hundred and thirty-four acres, located in the Pocket County near St. Charles on the waters of Sand Lick near the coal operations of Bonurant Coal & Coke Company, and being the same tract of land owned by Henry J. Morgan at the time of his death known as the Lewis and Burk tract, on the following terms, to-wit: ten per cent of the purchase price to be paid in hand, the remainder to be divided in two equal installments due in one and two years from date of sale, bearing interest from date of sale. The purchaser will be required to give notes with good personal security to secure the payment of the deferred payments. The undersigned Commissioner is authorized to receive private bids on said land, but the land must be offered at public auction starting the land at the highest private bid given. If no one bids higher than the highest private bidder, the land will be knocked off to the purchaser at the private bidding.

Dated this May 19, 1911.

\_\_\_\_\_  
Special Commissioner.

*L. M. Purnette*

575



John S. Maynor

20 { Report of  
Sale of 134 acres  
Pocket Land

W. H. H. Smith & Co

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Filed Aug 28-1911

H. C. J. Ewing,  
Clerk.



John D. Morgan and others.....Complainants,

Vs.

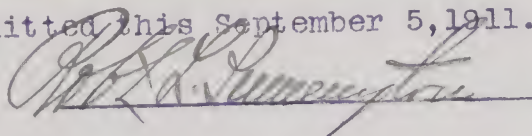
W.H.H.Smith and others.....Defendants.

Report of payment of purchase money.

Your undersigned Special Commissioner in the above styled cause begs leave to report that W.A.Russell who purchased the 43 acre Woodward tract of land has heretofore paid your Commissioner the full amount of the purchase money and is now entitled to a deed of conveyance for the tract of land purchased by him.

Your Commissioner further reports that the tract of land sold in this case on July 24th of 134 acres located in the Pocket Country near St. Charles, known as the Lewis & Burke tract, by L.M.Pennington has been fully paid for by said purchaser and said purchaser is now entitled to a conveyance of said tract of land so purchased by her.

Respectfully submitted this September 5, 1911.

 Commissioner.



John D. Mayors

vs { Report of  
    { payment of  
    { purchase money

W.H. Smith

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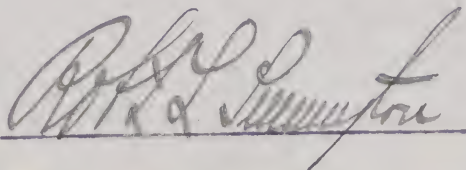
Filed Sept 25-1911



To the Honorable H. A. W. Skeen, Judge of the Circuit Court for  
Lee County, Virginia.

In the Chancery cause of John D. Morgan against W. H. H. Smith  
and others, your undersigned Special Commissioner was appointed by a  
decree this day entered in said cause to make, execute and deliver  
deeds of conveyance to W. A. Russell of a tract of land purchased by  
him in said cause, and to L. M. Pennington of the tract of land pur-  
chased by her in this cause, and your Commissioner reports that he  
has executed each of the said deeds and herewith files the same as  
part of this report.

Respectfully submitted.

  
Commissioner.



John D. Mayon

vs. { Reports of  
      { deeds to  
      { H. A. Russell  
      { & L. M. Huntington

W. H. Smith & Co

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Filed Sept 8-1911



# Robt L. Livingston Corcoran vs - H. H. H. Smith & Co -

| 1405 |    | Lund Sales -                  |   | Dr.       | Cr.       |
|------|----|-------------------------------|---|-----------|-----------|
| Dec  | 18 | To Cash of T. Sweet purchase  |   | 3000 00 ✓ |           |
|      | 18 | " " J. N. Myers -             | " | 4100 00 ✓ |           |
|      | 18 | " " N. M. Shelburne           | " | 1133 00 ✓ |           |
|      | 18 | " " John Kirtle               | " | 400 00 ✓  |           |
|      | 18 | " " W. L. Russell -           | " | 7250 ✓    |           |
|      | 18 | " " W. J. Lewis               | " | 1360 00 ✓ |           |
|      | 18 | " " Bill Greet                | " | 1500 ✓    |           |
|      | 18 | " " C. N. Morgan              | " | 6000 00 ✓ |           |
|      | 18 | " " B. M. Morgan              | " | 1258 05 ✓ |           |
|      | 18 | " " B. M. Morgan              | " | 3791 95 ✓ |           |
|      | 18 | " " J. D. C. Morgan - itav    | " | 1269 19 ✓ |           |
|      | 18 | " " J. D. C. Morgan           | " | 3791 95 ✓ |           |
|      | 18 | " " J. D. Morgan              | " | 33886 ✓   |           |
|      | 18 | By Corcoran Sale to this date |   |           | 47550 ✓   |
|      | 18 | " part of Costs of Suit paid  |   |           | 97 78 ✓   |
|      | 18 | " Suit for B. M. Morgan       |   |           | 3791 95 ✓ |
|      | 18 | " " " J. D. Morgan -          |   |           | 3791 95 ✓ |
| Jan  | 10 | To Cash of N. M. Shelburne    |   | 203 93 ✓  |           |
|      | 13 | " " " N. M. Shelburne         |   | 631 99 ✓  |           |
|      | 13 | By " paid Elizabeth Roseman   |   |           | 631 99 ✓  |
| Feb  | 20 | To " of W. J. Lewis           |   | 22500 ✓   |           |
| Mar  | 4  | " " " N. M. Shelburne         |   | 3240 ✓    |           |
|      | 13 | By acct of T. Sweet           |   |           | 50778     |
|      | 13 | " " " W. H. H. Smith          |   |           | 50778     |
|      | 13 | " " " D. H. Smith             |   |           | 50778     |
|      | 13 | " " " Mary Carter             |   |           | 50778     |
|      | 13 | " " " M. E. Hoglewood & Son - |   |           | 40623 ✓   |
|      | 13 | " " " N. M. Woodward          |   |           | 40623     |
|      | 13 | " " " Lee Woodward            |   |           | 40623     |
|      | 13 | " " " Mrs. Martha Eley        |   |           | 40623     |
|      | 13 | " " " Mary E. Bunday          |   |           | 40623     |
|      | 13 | " " " Dr. J. D. Morgan        |   |           | 203114    |
|      | 13 | " " " Victoria Morrison       |   |           | 203114    |
| May  | 2  | To Bank of J. N. Myers -      |   | 4000 00 ✓ |           |
| June | 12 | " " " do -                    |   | 5000 00 ✓ |           |
| Aug  | 7  | " " " N. M. Shelburne         |   | 51044 ✓   |           |
|      | 7  | " " " W. J. Lewis             |   | 3000 00 ✓ |           |
|      | 8  | By " for R. L. Woodward       |   |           | 7435      |
|      | 8  | " " " Mary Bunday             |   |           | 7436      |
|      | 8  | " " " Martha Eley             |   |           | 7436      |
|      | 8  | " " " M. E. Hoglewood &       |   |           | 7436      |
|      | 8  | " " " N. M. Woodward -        |   |           | 7435      |
|      | 8  | " " " C. F. Sweet -           |   |           | 11154     |
|      | 8  | " " " D. H. Smith             |   |           | 11154     |
|      | 8  | " " " W. H. H. Smith          |   |           | 11154     |
|      | 8  | " " " Mary Carter             |   |           | 11154     |
|      | 8  | " " " Dr. John D. Morgan      |   |           | 44625     |
|      | 8  | " " " Victoria Morrison       |   |           | 44625     |
| Sept | 8  | To " of J. N. Myers -         |   | 5000 00 ✓ |           |
| Nov  | 22 | " " " N. M. Shelburne         |   | 42284 ✓   |           |
| Dec  | 18 | " " " John Kirtle             |   | 1908 ✓    |           |







To the Honorable H.A.W. Skeen, Judge of the Circuit Court for  
Lee County, Virginia.

In the Chancery cause of John D. Morgan and others against W.H.H. Smith and others, your undersigned Special Commissioner begs leave to report that he has collected the purchase money on all the sales made by him in this cause and has paid them out to the various parties entitled. Your Commissioner files herewith an itemized statement showing the amount received on sales and paid out by him which includes all the money received from the beginning to the last. There now remains nothing further to be done in this cause and the same should be stricken from the docket.

Respectfully submitted.

 Commissioner.



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 410.00 ✓  
 1,133.00 ✓  
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 72.50 ✓  
 136.00 ✓  
 15.00 ✓  
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 1,258.05 ✓  
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6250 add

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J. D. Morgan et al

75 { Trices Report  
of Collections &  
Disbursements  
by  
Robt L Huntington  
Clerk

W. H. H. Smith et al

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Filed Feb 1 - 1872

J. D. Edder, Clerk



-COPY-

This deed made this, 18th day of February 1876 between Chadwell Brittain and Mary E. Brittain; his wife and William T. Morgan of the first part and Henry J. and James D. Morgan of the second part, all of the county of Lee, and State of Virginia Witnesseth: That the said Chadwell Brittain and Mary E. his wife, for and in consideration of the sum of Eight thousand dollars to them in hand paid by the said Henry J. and James D. Morgan, the receipt of which is hereby acknowledged, they the said Brittain and wife, doth by these presents bargain, sell deliver, and convey unto the said Henry J. and James D. Morgan five certain pieces of parcels of land, lying and being in the county of Lee, and adjoining each ~~the~~ other, and constituting in the aggregate what is known as said Brittain home farm, containing in the aggregate about five hundred acres, be the same more or less, one of which tracts and that upon which said Brittain's house now stands, containing about two hundred acres, was conveyed to him by Geo. Karr and Nancy his wife, by deed bearing date September 18th 1837, and is bounded as follows to-wit:- Beginning at a stake, corner to Balls land thence S 1 W 74 poles to a stake in a field thence S 5 W 50 poles to near a sugar tree stump on the east side of a branch and to the red line, thence with the red line N 74 E 80 poles and nine feet to three white oaks corner to Howard's old line S 85 E 80 poles to a stake in a muddy branch Near a beech on Kindred's old old line, thence N 68 E 99 poles to a stake in ~~in~~ a field of Alex ~~Chadwell~~ Chadwell, thence N. 3 W 100 poles to a poplar and white oaks on the side of a spur on the poor valley Ridge Thence, S 84 W 222 poles to the Beginning; a second of which tracts was conveyed to said Brittain by said Karr & wife aforesaid, and it is bounded as follows :- to-wit: Beginning at a stake in the edge of a branch, about six feet from a beech tree, marked as a corner on ~~the~~ line of the land of the heirs of Louis Horton dec'd, thence with said line N 68 E 99 poles to a stake in a field S 9 E 47 poles to a stake in a field on a line of Alex Chadwell's land and thence with the same N 85 W 97 poles to the Beginning; a third of said tracts or parcels of ~~land~~ land was conveyed to said Brittain by said Karr



and wife by deed dated as sforesaid and is bounded as follows  
 towit: Beginning at a chestnut tree on the foot of Cumberland  
 mountain thence S 75 E 38 poles to a black oak on the side of a  
 hill baove a lick S 51 E 95 poles to a chestnut and ~~a~~ dogwood  
 Near a hollow S 100 poles passing a sour wood and white oak marked  
 as a corner at 80 poles to \_\_\_\_\_ N 60 W 70 poles to a black  
 oak and thence N 35 E 60 poles to the Beginning, containing one  
 hundred acres; a fourth of which tracts was conveyed to said Brit-  
 tian by Daniel Littrell and Polly his wife, by deed bearing date  
 December 10th 1844 and is bounded as follows, towit: Beginning at  
 a maple, Gum and Sour wood by a branch, thence N 85 E 272 poles  
 running with Karr's old line to a stake at Karr's meadow branch and  
 up, with the meadow thereof 33 pole to three Buckeyes at the piont  
 of a spur of the Poor Valley Ridge thence N 17 E 27 poles to a  
 Buckeye, ash and Lin on the top of said ridge N 41 E 4 poles to  
 a sugar tree and ash, N 12 W to the North line of the original  
 survey and with the same westward to the aforesaid branch thence  
 down said branch with its meadow to the Beginning containing  
 196 acres ~~xxxxxxxxxxxxxxxxxxxxxxxx~~; the fifth and last of said  
 tract contains about 8 Acres and was sold to said Brittian by  
 Peter H. Rolland and held by the farmer under <sup>a</sup> title bond bearing  
 date Jan. 16th 1845, and is bounded as follows towit: Beginning  
 ay three Bucheyes on the piont of Poor Valley ridge in ~~xxxxxx~~ a line  
 of a tract of land conveyed by said David Littrell to said Brit-  
 tian thence N 17 E 16 poles to a large poplar on the said line of  
 the said Littrel tract S 88 1/4 E 20 poles crossing a hollow to  
 a sugar tree thence S 9 1/4 W 30 poles to a stake near said  
 Rolland's Stable S 72 E 10 poles to a stake by a path S 6 E 10 ~~po~~  
 poles to a sassafras S 23 W 7 poles & eight links to a small red  
 oak in a line of a tract of land conveyed by said Karr to said  
 Brittian S 85 W 34 poles to a stake on the west side of a branch  
 thence N 8 1/4 E 33 poles to ~~xxxxxx~~ the Beginning. To have and to  
 hold said five tracts or parcels of land with all their appur-  
 tenances unto the said Henry J. and James D. Morgan



and their heirs forever , and the said Chadwell Brittian and Mary E. his wife , do hereby covenant that as to said three Karr tracts and the said Littrall tract that they have good right and title thereto, that the same is unencumbered and that they will warrant generally the title to the same, and that as to said Rolland or eight acre tract they warrant specially only, that is, convey only such title as is vested in them. And the said Brittian and wife, out of the first tract herein described , hereby reserve and except from the operation of ~~their~~ this conveyance a small Graveyard situated in a field south of & in front of said Brittian's house . And whereas the said Chadwell Brittian on the third day of April 1872 did execute to William T. Morgan a trust deed by which he conveyed ~~among~~ among others the three Karr tracts of land to secure the debt in said trust deed mentioned, and the debt to secure which said Trust deed was executed having this day been settled by the purchase and foregoing conveyance in said consideration thereof the said William T. Morgan doth by these presents bargain, sell , and convey unto the said Henry J. and James D. Morgan such title as is vested in him by virtue of said Trust deed. In testimony, whereof, the said Chadwell Brittian and Mary E., his wife, and said William T. Morgan. have hereto subscribed their names and affixed their seal on the day first herein mentioned

Chadwell Brittian, (seal)

Mary E. Brittian, (seal)

Wm. T. Morgan. (seal)

Virginia, Lee County towit: I, John B. Westa Notary Public in and for said County and State, do hereby certify that Chadwell Brittian and Mary E Brittian his wife and Wm. T Morgan, whose names are signed to the foregoing deed bearing date February 18th 1876 each personally appeared before me in my county aforesaid and ~~ackn~~ acknowledged the said writing to be their act and deed; and Mary E Brittian wife of the said Chadwell Brittian , being examined by me privily and apart from her <sup>Said</sup> husband and having the deed aforesaid read and fully explained to her , declared that she willingly signed and executed the same, and does not wish to retract it.



(4)

Given under my hand and seal this 18th day of February.

John B. West, N.P. (seal)

Virginia Lee county court Clerk's Office the 22 day of march 1877

The foregoing deed from Chadwell Brittian and Mary E his wife  
and Wm. T. Morgan, of the one part, to Henry J. and James D. Mor-  
gan of the other part, all of the county of Lee Virginia, was  
this day admitted to record upon the certificate of John B West  
A Notary Public in and for the county of Lee and State of Virginia,

Teste. R.W.Orr Jr. D.C.



John D. Mayon et al

vs { Copy of Deeds  
to Britton Farms  
Exhibits "A".

N. H. H. Smith et al



-COPY-

(1')

This Indenture made this 4th day of April One thousand eight hundred and fifty seven between George Scott and Nancy his wife of the one part and H.J. & J.D. Morgans of the other part all of the county of Lee and State of Virginia, Witnesseth that the said George Scott and Nancy his wife for and in the consideration of the sum of Three thousand dollars to them in hand paid, the receipt of which is hereby acknowledged, doth grant bargain and sell unto the said Henry J. and James D. Morgan a certain tract or parcel of land, lying and being in the county of Lee and State of Virginia situated on the waters of trading creek and bounded as follows: Beginning at a sugar tree white oak and hickory, thence North 70 E 223 poles to a Spanish Oak white Oak and Dogwood on the end of a rocky spur. N 67 W 279 poles Crossing a valley and ridge to a stake, thence south 54 W. 72 poles along the said ridge to a chestnut and beech ~~and~~ corner to the land deeded by George Ely to Samuel Mark thence S 33 E 180 poles with the line of the land that George Ely sold to Samuel Mark, to the Beginning: To have and to hold the said tract or parcel of land with all ~~and~~ its appurtenances unto the said Henry J. and James D. Morgan and their heirs forever and they the said George Scott and Nancy his wife for themselves and their heirs do covenant with the said Henry J. and James D. Morgan and their heirs that they the said George Scott and Nancy his wife and their heirs, the said tract or parcel of land with all its appurtenances unto the said Henry J. and James D. Morgan and their heirs against the claims of all persons, whomsoever: Shall warrant and forever defend ~~and~~ in witness whereof the said George Scott and Nancy his wife have hereunto subscribed their names and affixed their Seals

The day and year first above written

Geo Scott (seal)

Nancy Scott, (seal)



Lee County towit:

We Wm. McDonald and Geo.W.Sox justices of the peace for the county of Lee in the State of Virginia do hereby certify that Geo. Scott a party to a certain deed bearing date on the 4th day of April 1857, and hereunto annexed. personally appeared before us in our county aforesaid and acknowledged the same to be his act and deed and desired us to certify the said acknowledgement to the clerk of the county ~~and~~ court of Lee in order that the said deed may be recorded. Given under our ~~hands~~ hands and seals this 4th day of April 1857

Wm. McDonald (seal)

Geo. W. Cox. (seal)

Lee County towit

We, Wm. McDonald and Geo W. Cox Justices of the peace for the county of Lee in the State of Virginia do hereby certify & that Nancy Scott the wife of George Scott, a party to a certain deed bearing date on the 4th day of April 1857 and hereunto annexed personally appeared before us in our county aforesaid and being examined by us personally and apart from her husband and having the deed aforesaid fully explained to her She, the said Nancy Scott acknowledged the writing to be her act and deed and declared that she had willingly executed the same and does not wish to retract it. Given under our hands and seals this 4th day of April 1857.

Wm. McDonald (seal)

Geo.W. Cox, (seal)

Virginia:

At a court held for Lee County the 21st day of April 1857 this Indenture of bargain and sale for land between Geo, Scott and Nancy his wife of the one part, and H.J.and J.D.Morgan of the other ~~part~~ part, admitted to record upon the certificate of two Magistrates of Lee County.

Teste J.W.S.Morrison C.C.



J. D. & J. H. Mayors

From ~~the~~ Copy of  
the Record

Gerry & Scott & wife

---

Exhibit "B."

Hubbard Place.



COPY.

this deed made this 12th day of April 1875 by and between Ambrose P. Henson and Lucy Ann Henson his wife of the first part and Henry J. Morgan and James D. Morgan of the second part, all of the county of Lee, State of Virginia. Witne~~peth~~<sup>th</sup> that for and in consideration of the sum of five hundred and fifty dollars to the said Henson & wife in hand paid by the said Henry J. and James D. Morgan the receipt of which is hereby acknowledged, they the said Henson and wife doth by these presents bargain sell deliver and convey into the said Henry J. and James D. Morgan all their undivided right title interest and claim, either present, or prospective, which they may now have or which may hereafter accrue to them in all the real estate of George S. Ball deed lying and being in the said county of Lee including all their interest in the land of which said Ball was owner at the time of his death, either legally or equitably including therein their undivided interest in such portion of said real estate as may be assigned Ellen Ball the widow of said George S. Ball deceased as dower therein, and the said parties of the first part, do <sup>further</sup> bargain sell deliver and convey unto the ~~hands~~ parties of the second part all their undivided right title interest and claim in and to the real estate which descended to them from the estate of Virginia Ball deced. all of which lands lie in the county of Lee State of Virginia adjoining the lands of said Henry J. James D. Morgan and Joseph H. Bundy and others to have and to hold the said undivided interests hereby conveyed with all the appurtenances unto the said Henry J. and James D. Morgan and their heirs forever and the said Henson and wife do hereby covenant that they have good title to the undivided interests hereby conveyed, that the same is unincumbered and will warrant generally the title to the same Witne~~p~~<sup>th</sup> the following signature and seals the day and year aforesaid

His  
Ambrose P. Henson (seal)  
Mark

Lucy A. Henson (seal)



Virginia Lee County Towit

I Ervin H. Russell a justice of the peace in and for the county and the state aforesaid do certify that Ambrose P. Henson whose name is signed to the foregoing deed bearing date April 12th 1875 personally appeared before me in my county aforesaid, and acknowledge the said writing to be his act and deed.

Given under my hand and seal this 12th day of April 1875

Ervin H. Russell J.P. (seal)

Virginia Lee County Towit

We Ervin H. Russell and Chas. C Blankenship two justices of the peace in and for the county and state aforesaid, do certify that Lucy Ann Henson wife of Ambrose P. Henson whose names are signed to the foresaid deed bearing date April the 12th 1875 personally appeared before us in our county aforesaid and being examined by us privily and apart from her husband and having the deed aforesaid fully explained to her, declared that she had willingly signed and executed the same, and did not wish to retract it

Given under our hands and seals this 12th day of April 1875

Ervin H. Russell J.P. (seal)

C.C. Blankenship J.P. (seal)



John D. Maynard et al

✓ Copy of deed  
✓ to Henry Lord  
✓ Exhibit "C"

H. W. Smith et al



COPY.

Pursuant to an order of the Circuit Court of Lee County dated  
Sept 2nd 1875, in the case of

Ballinger, Calaway, and others-----Plaintiffs ) In  
Vs )  
William Purcifield et als-----Defendants ) Chancery

We , Eli Davis, R.M.Bales, and T.S.Gibson, who were appointed  
commissioners for the purpose, proceeded, on the 9th day of Sep-  
tember 1875 to partition the lands of which Spencer Ball died  
seised and possessed , and report as follows:

First , we laid off and assigned to Ellen Ball, the widow,  
one third of said lands in annual rental value (In our judgement)

This lot is represented in the diagram by the figures 29, 30  
31, 32, 33, 34, 35, 36, 37, 9, 10, 11, 12, 13, 14, 15, 16, 29 in  
red lines, estimated to contain 72 acres and bounded as follows, viz:

Beginning at a stake on the outside line and running thence  
S 29 1/2 36 poles to a stake on Bundy's line, at the sugar run  
road; thence with Bundy's line S 72 1/2° W. 80 Poles to a stake;  
thence 2° E 48 poles to a stake at said road; thence N 65° E 91 1/3  
poles to a rock in a field; thence S 33 E 30 poles to a stake at a  
branch; thence S 55 W 130 poles to a stake on S. Thompson's line,  
and with it N 33 W 25 poles to a stake on the trotter line; thence  
N 52 E 68 poles to a black oak stump ; thence N 26 1/4 W 65 poles to  
a dogwood ; thence N 27 1/4 W 36 poles to a dogwood bush; thence  
N 72 1/2 E. 154 poles to the beginning.

2nd.

We assigned to H.J. ~~Maxxan~~ and J.D. Morgan two lots , each  
marked No. 1 on the plat, as their interest. the first estimated  
to contain 41 acres, represented on the plat by the figures 30,  
31, 26, 27, 28, 29, 30, and bounded as follows: Beginning at a  
stake on Bundy's line, at the Sugar Run road - corner to the widow's  
dower - and running thence with said Bundy's line S 72 1/2 W. 56  
poles to a stake on the dower line, corner to the 2nd lot; and with  
a line thereof N 15 W. 224 poles, crossing the dower line, to a  
stake on the right line.



stake on the Fisher line; and with it N  $80^{\circ}$  E 29 poles to a chestnut oak, on top of the poor Valley Ridge; thence S 5 W. 55 poles to a Chestnut Chestnut stump, near a fence, thence S 29  $1/2$  E. 172 poles to the Beginning; the 2nd lot, also marked No. 1 is represented by the figures 1, 2, 39, 38, 37, 1, estimated to contain  $7 \frac{1}{2}$  acres, and bounded as follows, Viz;

Beginning at two horn beams at a branch, the beginning corner of the survey; and running thence with a line thereof S  $43 \frac{1}{2}$  W 23 poles to a chestnut oak and dogwood, corner to the 2nd lot, on the S.S. of the road, and with a line thereof N  $35^{\circ}$  W. 56 poles to the Sugar Run road, and with it N 63 E 27 poles to a stake on the outside line, corner to the 3d lot; thence S 33 E. 46 poles to the Beginning.

3rd. We have assigned to Mary Calaway, wife of Ballinger Calaway, as their interest, two lots each, marked No. 2 on the plat. The first estimated to contain  $30 \frac{3}{4}$  acres and represented by the figures 31, 32, 25, 26, 31, and bounded as follows, Viz:

Beginning at a stake, corner to the 1st lot, and running thence with Bundy's line S  $72 \frac{1}{2}$  W 22 poles to a stake, corner to the 3rd lot and with a line thereof N 15 W 227 poles to a stake on the Fisher line; and with it N 80 E 22 poles to a stake, corner to the first lot, and with a line thereof S 15 E 224 poles to the Beginning. The second lot also marked No. 2 is represented by the fig. 2, 3, 41, 40, 39, 2, estimated to contain  $7 \frac{1}{2}$  acres and bounded as follows, viz:

Beginning at a chestnut oak and Dogwood, corner to the first lot on the South of the road; and running thence S  $43 \frac{1}{2}$  W.  $21 \frac{1}{2}$  poles to a small Chestnut oak, on S. Thompson's line; thence N 35 W. 62 poles to the Sugar Run road; and with it N 63 E. 22 poles to a corner of the first lot; and with a line thereof S 35 E 56 poles to the Beginning.

4th. We have assigned to Elizabeth Purcifield, the wife of William Purcifield, as her interest, two lots, the first on the north of the Sugar Run road, marked No. 3, and represented by the fig'



32, 33, 34, 35, 36, 38, 24, 25, 32, estimated to contain 39 acres and bounded as follows: Beginning at a stake on Bundy's line corner to the 2nd lot; and running thence S  $72 \frac{1}{2}$  W 2 poles to said Bundy's corner; and with this line S  $2^{\circ}$  E 48 poles to the road; thence N  $65^{\circ}$  E.  $9 \frac{1}{3}$  poles to a rock; thence S  $33^{\circ}$  E 8 poles to a stake; thence with said road S  $63^{\circ}$  W 27 poles to a stake, corner to the 4th lot; and with a line thereof N  $15^{\circ}$  W 288 poles to a stake on the Fisher line; and with it N  $80^{\circ}$  E 24 poles to a stake corner to the 2nd lot; and with a line thereof S  $15^{\circ}$  E. 227 poles to the Beginning.

The second lot is on the S.S. of the road, also marked No. 3, and represented by the fig' 3, 4, 13, 14, 42, 41, 3, estimated to contain  $7 \frac{1}{2}$  acres, and bounded as follows, viz:

Beginning at a small Chestnut oak, on S. Thompson's line corner to the 2nd lot; and running thence S  $43 \frac{1}{2}$  W. 19 poles to a stake, one pole E. of a chestnut oak corner; thence N  $35^{\circ}$  W. 69 poles to a stake; thence N  $52^{\circ}$  E.  $2 \frac{1}{2}$  poles to a Black oak stump; thence N  $65^{\circ}$  E. 19 poles along the road to a corner of the 2nd lot; and with a line thereof S  $35^{\circ}$  E. 62 poles to the Beginning.

5th. We have assigned Margaret Esther Morgan, the widow of William H. Morgan, two lots, each marked No. 4, on the plat. The first on the North side of the road, represented by the fig' 38, 39, 40, 23, 24, 38, estimated to contain  $26 \frac{1}{2}$  acres and bounded as follows, viz:

Beginning at a stake at the road; and running thence with it S  $63^{\circ}$  W. 16 poles to a stake, corner to the 5th lot; and with a line thereof N  $15^{\circ}$  W. 295 poles to a small Dogwood on the Fisher line; and with it N  $80^{\circ}$  E  $15 \frac{1}{2}$  poles to a stake, corner to the 3rd lot; and with a line thereof N  $15^{\circ}$  E. 288 poles to the Beginning.

The second on the S. side of the road, represented by the fig' 4, 5, 6, 12, 13, 4, estimated to contain  $7 \frac{1}{2}$  acres and bounded as follows, viz: Beginning at a stake 1 pole E of a Chestnut oak corner, thence S  $43 \frac{1}{2}$  W 1 pole to a Chestnut oak, S. Thompson's corner; thence S  $52^{\circ}$  W. 19 poles to a small chestnut, corner to the



5th lot; and with a line thereof N 35 W. 64 poles to a white oak and maple; thence N 52 W. 19 poles to a stake, corner to the 3rd lot, 2 1/2 poles West of a Blk oak; thence S 35 E. 69 poles with a line of the 3rd lot to the Beginning.

6th. We have assigned to Mary Minton, wife of George A. Minton, Moses M. Gibson, and Zachariah Gibson, children and heirs of ~~M~~orchester Gibson deceased, as their interest, two lots each, marked No. 5. The first on the north side of the road, represented by the fig. ' 40, 41, 42, 42, 43, 19, 20, 21, 22, 23, 40, estimated to contain 35 acres, and bounded as follows, viz:

Beginning at a stake, corner to the 4th lot; & running thence with the road S 63 W. 20 poles to a stake, corner to the 6th lot; and with a line thereof N 15 W. 216 poles to a stake in a field, corner to the 6th lot; thence S 60 W. 9 poles to a stake on the outside line; thence N 9 W. 28 poles with Ely's lines to a stake; thence N 5 W. 16 poles to a stake, thence N 1 1/2 W. 42 poles to a stake on Fisher's line, corner to ~~the~~ Ely's land; and with the Fisher's line N 80 E. 10 poles to a small dogwood, corner to the 4th lot; and with a line thereof S 15 E 275 poles to the Beginning.

Their second lot is represented by the figures 6, 7, 11, 12, 6, on the S. side of the road, estimated to contain eight acres, and bounded as follows, viz:

Beginning at a small Chestnut, and running thence S 67 W. 21 poles to a chestnut, corner to the 6th lot; and with a line thereof N 35 W. 57 poles to a ~~small~~ chestnut and small Maple, on Thompson's line; and with it N 52 E. 20 poles to a white oak & Maple, corner to the 4th lot, and with a line thereof S 35 E. 64 poles to the Beginning.

7th. We have assigned to Elizabeth, William, and George Ball children & heirs of George Ball dec'd - as their interest two lots each, marked No 6 on the plat.

The first is on the North side of the road, represented by the figures, 42, 14, 15, 16, 17, 18, 43, 42, estimated to contain



27 acres & bounded as follows, viz:

Beginning at a stake on the S side of the road, corner to the 5th lot ; and running thence S 63 W.  $5 \frac{3}{4}$  poles to a black oak stump; thence with Morgan's lines N 26  $\frac{1}{4}$  W 65 poles to a Dogwood; thence N 27  $\frac{1}{4}$  W 91 poles to a stake , at a cross fence; thence N 6  $\frac{3}{4}$  E. 60 poles to a stake , corner to T. Ely's land; and with a line of the same, leaving Morgan's line N 60 E. 10 poles to a stake , corner to the 5th lot; and with a line thereof N 60 E 9 poles to a stake in a field, thence S 15 E. 16 poles to the Beginning.

Their second lot is on the S. side of the road, represented by the figures 7, 8, 9, 10, 11, 7, estimated to contain 9 acres, and bounded as follow s, viz:

Beginni g at a Chestnut on the ridge, corner to the 5th lot; and ~~running thence S 67° W 30 poles to an old road; and with it N 33 W. 50 poles to a stake on the old Trotter line; thence N 52 E 27 poles to a Chestnut & small Maple on Thompson's line, corner to the Beginning.~~ running thence S 67° W 30 poles to an old road; and with it N 33 W. 50 poles to a stake on the old Trotter line; thence N 52 E 27 poles to a Chestnut & small Maple on Thompson's line, corner to the Beginning.

The following are the courses of the outside lines of the entire tract partitioned: Beginning at 2 horn beams on the West side of a road and branch; & running thence with S. Thompson's lines S 43  $\frac{1}{2}$  W 64 poles to a Chestnut oak, on the top of a ridge; thence S 67 W 69 poles to an old road; & with it N 33 W 50 poles to a stake on the old Trotter line; hence N 52 E 68 poles to a ~~stake~~ Black oak stump, near the road; thence N 26  $\frac{1}{4}$  W, 65 poles to a ~~stake~~ Dogwood - Morgan's corner ; & with his lines N 27  $\frac{1}{4}$  W 91 poles to a stake . at a cross fence ; thence N 6  $\frac{3}{4}$  E. 60 poles to a corner of T. Ely's land; and with lines there of N 60 E. 10 poles to a stake; thence N 9  $\frac{1}{2}$  W. 28 poles to a stake ; thence N 5 W 16 poles to a stake; thence N 1  $\frac{1}{2}$  W 42 poles to a stake on the Fisher line; and with it, leaving Ely's line N 80 E 100 to a chestnut oak , on the top of the Poor Valley ridge ; thence S 5 W. 55 poles to a chestnut stump; thence S 29  $\frac{1}{2}$  E.



E 172 poles to the Sugar Run road, & with Bundy's lines S 72 1/2 W. 80 poles to a stake ; thence S 2 E. 48 poles to the road; thence N 65 E 9 1/3 poles to a rock, thence S 32 E. 53 poles to the Beginning, estimated to contain 245 acres.

As the timber is mostly on the S. side of the Main Road, We have made two lots in each share , one on the N. side of the road, and the other on the South, as this report shows; We have endeavored to give all parties their rights , according to their respective interests, according to the Order , a Diagram of which is hereunto annexed.

All of which is respectfully submitted.

Septr. 11th 1875.

~~(signed) Davis~~

(signed) Eli Davis,

" Thos S. Gibson

} Commissioners



This deed made this october 30 1894, between W.F.Minton & Amanda Minton his wife,( the said W.F.Minton being the only heir at law of Mary Minton dec'd the wife of George Minton & a grandson of Dorchester Gibson dec'd) of the first part, and Henry J Morgan of the second part , all of the county of Lee and State of Virginia

Witnesseth that for and in consideration of the sum of One hundred and Sixty five dollars, cash in hand paid, receipt of which is hereby acknowledged . The said W.F.Minton and wife do by these presents , give ,grant bargain sell release & convey unto the said Henry J Morgan all their undivided right , title & interest , in & to all the land & real estate owned by George S.Ball & Virginia Ball dec'd lying and being in the said county of Lee on both sides of the main road, about 9 miles West of the Court house & especially all their undivided right title and interest in the two lots of land laid off and assigned to the heirs of Dorchester Gibson dec'd By commissioners in the partition of the lands of the said George S. Ball dec'd among ~~xxxxx~~ his heirs at law and the same is known on the plat of said commissioners as the two lots Marked No. 5 respectively.

To have and to hold the same, together with all the appurtenances unto the said Henry J Morgan and his heirs forever and the said William F. Minton hereby covenants that he has good right and title to the same , that the same is not encumbered and that he will warrant generally, the title to the undivided interest hereby conveyed, and the said Minton hereby releases the said Morgan from ~~the~~ payment of any back interest on the said land.

Witness the following signatures and seals

W.F.Minton (seal)  
her  
Amanda W.Minton ( seal  
Mark

State of Virginia, County of Lee-

I William H. Speak a Notary Public in and for the County and State aforesaid do certify that W.F.Minton & Amanda Minton his wife whose names are signed to the foregoing deed bearing date October 30, 1894, have, each acknowledged the same before me in my County aforesaid



(2)

Given under my hand this Oct 31st 1894

William H. Speak Notary Public.

Virginia Lee County to wit:

In the office of the clerk of said County the second day of November 1894 this deed was presented and together with the certificate thereto annexed admitted to record

Teste. S.V.F. Richmond, clerk



This deed made this 2nd day of April 1877 between J.W.Orr  
 commissiner as \_\_\_\_\_ after stated of the first part and Henry J.  
 Morgan of the second part , all of the county of Lee State of  
 Virginia, Witnesseth that by a decree of the ~~xxxx~~ Circuit court  
 of Lee county entered of record in the chancery cause of James  
 W. Jayne admr. &c Plaintiff and against Richard C. Ball & others,  
 the said James W.Orr was appointed a commissioner and directed to  
 convey to Henry J. Morgan the undivided right title and interest of  
 said ~~land~~ Richard C. Ball in the lands of Virginia Ball deceased  
 the same having been devised to her by her father George S.  
 Ball and said interest having been bought at sale by said Morgan  
 In consideration of the - \_\_\_\_\_ and of one dollar to him in  
 hand paid by said Morgan , the said James W. Orr commissioner  
 as aforesaid doth by these presents bargain sell deliver convey  
 unto said Morgan the above described interest of said Richard C.  
 Ball in th real estate of Virginia Ball deceased To have and to  
 hold the said interest with all its appurtenances unto said Morgan  
 and his heirs forever, and the said hereby covenants that he will  
 warrant specially the land hereby conveyed, Witness the following  
 signatur and seal the day and ~~year~~ year aforesaid

James W. Orr, Comr. (seal)

Virginia Lee county towit

I William A. Orr a notary Public in and for the County and  
 State aforesaid do certify that James W Orr whose name is signed  
 to the foregoing deed bearing date April the 2nd 1877 personally  
 appeared before me in the county aforesaid and acknowledged the  
 said writing to be his act and deed

Given under my hand and seal this 3rd day of April 1877

Wm.A.Orr N.P. (seal)

Virginia Lee county Court clerks office the 3rd day of April 1877

The foregoing deed from James W.Orr Comr. of the one part, to  
 Henry J. Morgan of the other part both of the County of Lee and  
 State of Virginia, was this day admitted to record upon the cer-  
 tificate of Wm. A.Orr Notary Public in and for the county & State  
 aforesaid                      Teste. R.W.Orr Jr. D.C.



This Deed made this 21st day of March 1879 between James Ramey & Eliza Ramey his wife on the first part , and Henry J. Morgan of the second part all of the county of Lee and State of Virginia Witnesseth that the said Ramey and wife for and in consideration of one hundred and seventy five dollars secured to be paid to them by said Morgan the receipt of which is hereby acknowledged doth by these presents bargain sell deliver and convey unto said Morgan a certain piece or parcel of land lying and being in said county of Lee & on the main road about 8 miles west of Jonesville being that undivided interest in a certain boundary or lots of land conveyed to said James Ramey by one Moses M. Gibson one of the heirs of Dorchester Gibson dec'd, and the same being one undivided third part of a certain lot or lots of land laid off and assigned to the heirs of Dorchester Gibson deceased by commissioners appointed for the purpose by the Circuit Court of Lee county, in the chancery cause of Ballinger Calaway and others against Ellen Ball & others which suit was brought for the purpose of partitioning the lands of George S. and Virginia Ball dec'd among the parties according to their respective rights And the interest hereby conveyed is one third of the several lots marked and known on said commissioner's plat as lot or lots No. 5 and for a more particular description of said land reference is here made to said commissioners report and plat To have and to hold said undivided interest hereby ~~conveyed~~ conveyed with all its appurtenances unto the said Henry J. Morgan and his heirs forever and the said Ramey and wife do by these presents covenant that they have good right and title to said land , that the same is not encumbered , and that they will warrant generally the title to the same. Witness the following Signatures & seals

James Ramey (seal)

Eliza A. Ramey (seal)

Virginia Lee County towit,

We Charles C. Blankenship and N.M. Scott two Justices of the Peace in and for the county and state aforesaid do certify that James Ramey and Eliza Ramey his wife whose names are signed

to the



(2)

to the foregoing deed bearing date March the 21st 1879 each personally appeared before us in the county aforesaid and acknowledged the said writing to be their act and deed and Eliza Ramey wife of said James Ramey being examined by us privily and apart from her husband and having the deed aforesaid fully explained to her declared that she had willingly signed and executed the same and ~~did~~ did not wish to retract it.

Given under <sup>our</sup> ~~my~~ hand and seals this 21st day of March 1879

C.C.Blankenship, J.P., (seal)

N.M.Scott

J.P.(seal)

Virginia , Lee County Court Clerk's Office, Septr. 24th 1879.

The foregoing deed from James Ramey and Eliza A. his wife , of the one part , to Henry J Morgan, of the other part, all of Lee county , State of Virginia, was this day admitted to record upon the certificate of Charles C. Blankenship and N.M.Scott- two Justices of the peace in and for the county and State aforesaid.

Teste. James W. Orr, Clerk



T This deed made this 5th day of August 1876 between Wm. H . Morgan and Margaret E. Morgan his wife late Margaret E. Ball of the county of Hancock State Tennessee of the first part, and Henry J. Morgan of the County of Lee State of Virginia of the second part, Witnesseth that the said William H Morgan and Margaret E, his wife for and in consideration of the sum Seven hundred Dollars to them in hand paid by the said Henry J. Morgan the receipt of which is hereby acknowledged doth by these presents bargain sell deliver and convey unto the said Henry J. Morgan two certain lots or parcels of land lying and being in the said county of Lee being <sup>two</sup> the same lots or parcels of land, which was laid off and assigned to the said Margaret E. Morgan as one of the heirs at ~~last~~ law of George S. Ball deceased as and for her share of his real estate, by commissioners appointed for the purpose by the circuit court of Lee county in a suit therein determined brought by Ballenger Calaway and others against William Purciful & others and which and which is known on the plat and report of said commissioners as lots numbered 4&4 respectively and for the metes and bounds thereof reference is here ~~XXXXXXXXXX~~ had and made to said plat and report, and the said parties of the first part do further bargain sell deliver and convey unto the said Henry J. Morgan any and all further interest right or title they may have in and to the real estate of the said George S. Ball and also that of Virginia Ball dec'd \_\_\_\_\_ situated, To have and to hold said two lots or parcels of land with any other interest as aforesaid with all appurtenances unto the said Henry J. Morgan and his heirs forever, and the said William H. Morgan and Margaret E Morgan hereby covenant that they have good right and title to said land, that the same is not encumbered, and that they will warrant generally the title of the same.

Witness the following signatures and seals

William H. Morgan (seal)

Margaret E Morgan (seal)

Virginia Lee County towit.

I James W. Orr Clerk of the County court of Lee in the ~~county~~



(2)

State aforesaid do certify that William H. Morgan and Margaret E. Morgan his wife whose names are signed to the foregoing deed bearing date August the 5th 1876 each personally appearing before me in my office aforesaid and acknowledged said writing to be their act and deed, and the said Margaret E Morgan wife of the said William H. Morgan being examined privily and apart from her husband, and having the deed aforesaid fully explained to her declared that she had willingly signed and executed the same and did not wish to retract it \_\_\_\_\_ the said deed is admitted to record.

Given under my hand this 5th day of August 1876

James W. Orr, Clerk.



(1)

This deed made this 9th day of January 1880 between William Ball deceased of the first part, and Henry J Morgan of the second part, both of the county of Lee State of Virginia Witnesseth that the said William Ball for and in consideration of the sum of one hundred and seventy five dollars to him in hand paid and secured to be paid by the said Morgan the receipt whereof is hereby acknowledged doth by these presents bargain sell deliver and convey unto said Morgan a certain tract or parcel of land lying and being in said County of Lee, being one third part of two certain lots or parcels of land which were assigned to the heirs of said George W. Ball dec'd out of the real estate of George S. Ball dec'd, by commissioners appointed by the Circuit Court of Lee County in the chancery cause lately determined in the said court of Ballinger Calaway & others against William Purciful & others and which lots are known on said commissioners plat and report as lots numbered 6 respectively and for a more particular description thereof, reference is here made to said plat and report. To have and to hold the one undivided third part of said two lots or parcels of land hereby conveyed with all the appurtenances thereunto belonging unto the said Henry J. Morgan and his heirs forever and it is the intention of the said William Ball, and he doth by these presents bargain sell deliver and convey unto said Morgan all his interest right and title in and to all the real estate of said George S. and Virginia Ball deceased whether included in said two lots or not and the said William Ball doth hereby covenant that he hath good right and title to the lands hereby conveyed, that the same is not encumbered and that he will warrant generally the title to the same

Witness the following signature and seal

William Ball(seal)

Virginia Lee County towit,

I Nathaniel M. Scott a justice of the Peace in and for the county and State aforesaid, do certify that William Ball whose name is signed to the foregoing deed bearing date January the 9th 1880 personally appeared before me in the county aforesaid



(2)

and acknowledged ~~said~~ writing to be his act and deed

Given under my hand and seal this       day of       1880

N.M.Scott, J.P. (seal)

Virginia Lee County Court Clerk's Office Jan'y 1880

The foregoing deed from William Ball of the one part to Henry J. Morgan of the other part, both of Lee County Va. was this day admitted to record upon the certificate of N.M.Scott a Justice of the Peace in and for the county and state aforesaid.

Teste. James W. Orr, Clerk



This deed made ths 15th Day of September 1878 between Sophia Elizabeth Ball one of the three heirs at law of George W Ball dec'd of the first part & Henry J. Morgan, of the other part, both of the county of Lee & State of Virginia.

Witnesseth the the said Sophia E. Ball for and in consideration of the sum of One hundred & seventy five dollars in hand paid and secured ~~xxx~~ to ~~xxx~~ be paid by said Henry J. Morgan the receipt whereof is hereby acknowledged, doth by these presents bargain sell deliver and convey unto ~~said~~ Morgan all her undivided right title and interest in and to all that certain piece parcel and tract of land, which belongs to the heirs of said George W.

Ball deceased & which was devised to them by George S. Ball deceased by his last will and testaments & the same being one third part of the several lots or parcels of land which was assigned to the heirs of George W. Ball out of the lands of said George S Ball by commissioners appointed for that purpose by the Circuit Court of Lee County in the chancery cause of Ballinger Calaway & others ~~vs~~ against William Purcigul & others lately determined in said court and which lots or parcels of land is known on said commissioners plat and reports as lots No. 6 and for a more particular description thereof reference is here made to said plat and reports. And it is the intention of the party of the first part by this deed to convey unto said Morgan all her undivided rights and title and interest in all the lands of said George S Ball and Virginia Ball deceased whether the same be included or not in said two lots numbered 6 respectively as aforesaid, To have and to hold the said undivided interest hereby conveyed with all its appurtenances unto the said Henry J. Morgan and his heirs forever. And the said Sophia E Ball doth hereby covenant that she hath good right and title to said land, that the same is unincumbered, and that she will warrant generally the title to the same

Witness the following signature and seal.

Sophia E Ball (seal)

Virginia Lee County to wit

I Nathaniel M. Scott a justice of the peace in the County of Lee State aforesaid do certify that Sophia E. Ball



(2)

E Ball whose name is signed to the foregoing deed bearing date September the 15th 1879 personally appeared before me in the County aforesaid and acknowledged the said writing to be her act and deed

Given under my hand this 15th day of Septr. 1879

N.M.Scott J.P.

I hereby acknowledge the fact, that Mrs. Ellen Ball has paid me the full amount of the sum required to be paid Esther Ball (subsequently my wife) by the heirs of George W. Ball dec'd and which is charge upon the land partly above conveyed by the last will & Testament of George S. Ball dec'd

Given under my hand and seal this 15 day of September 1879.

W.H.Morgan.

Virginia, Lee County Court, Clerk's Office, Septr. 24th 1879.

The foregoing deed from Sophia Elizabeth Ball one of the three heirs-at-law of George W. Ball dec'd of the first part, to Henry J Morgan, of the other part, both of the county of Lee and State of Virginia, was this day admitted to the record upon the certificate of N.M.Scott, a Justice of the Peace in and for the county and State aforesaid

Teste. James W. Orr, Clerk.



Copy.

This deed made this 6th day of November 1979 between William Purcifeel and Elizabeth purcifeel his wife of the county of Kenton State of Kentucky of the first part & Henry J. Morgan of the county of Lee and State of Virginia of the second part, Witnesseth that the parties of the first part for and in consideration of the sum of five hundred dollars to them in hand paid and secured to be paid by the party of the second part the receipt of which is hereby acknowledged, doth by these presents bargain sell deliver and convey unto the said Henry J Morgan two certain lots or parcels of land lying and being in said county of Lee on the South side of the Poor Valley ridge containing about 46 acres be the same more or less and being the entire interest of the said Elizabeth Purcifeel in the lands of her father George S. Ball dec'd and also her entire interest in the real estate of Virginia Ball dec'd and which two lots or parcels of land were assigned to the said Elizabeth Purcifeel by commissioners appointed by the circuit court of Lee county to make partition among the heirs and devisees of the said George S. ~~Rxxxx~~ and Virginia Ball in the chancery cause of Ballinger Calaway and others against the said William Purcifeel and others lately decided in said court and which said two lots or parcels of land is known on said commissioners plot and report as lots No 3 respectively, and for a more particular description of said two lots reference is her made and had to said commissioners report and plat, To have and to hold the same with the appurtenances unto the said Henry J. Morgan and his heirs forever, and the said William Purcifeel & wife doth hereby covenant that they have good right and title to said land, that the same is not in any way encumbered, and that they will warrant generally the title to the same

Witness the following signatures and seals

William Purcifeel (seal)

Elizabeth Purcifeel(seal)

State of Kentucky county of Kenton towit: I J. Webster  
Judge of the police court of the town of Independence in and for  
the County and State aforesaid do certify that William Purcifeel



whose name is signed to the foregoing deed bearing date November the 6th 1879 personally appeared before me in the county aforesaid and acknowledged the said writing to be his act and deed.

Given under my hand and seal this 19 day of Nov. 1879

T. Webster J.P. (seal

State of Virginia Lee County towit

I John B. West, a Notary Public in and for the county and state aforesaid, do certify that Elizabeth Purcifeel wife of William Purcifeel whose names are signed to the foregoing deed bearing date Nov. the 6th 1879 personally appeared before me in the county aforesaid, and being examined by me privily and apart from her said husband and having the deed fully explained to her declared that she had willingly signed and executed the same and did not wish to retract it

Given under my hand and seal this 6th day of Nov. 1879

John B. West, N.P.

Virginia Lee county Court, Clerks office, February 11th 1880

The foregoing deed from William Perciful and Elizabeth Purciful, his wife, of Kenton County Kentucky, of the one part, to Henry J. Morgan, of Lee County, State of Virginia, of the other part bearing date: November 6th 1879,

is admitted to record, as to the said William Purciful, upon the Certificate of T. Webster, Judge of the Police Court of the Town of Independence Kenton County aforesaid; , and, as to the said Elizabeth Purciful, upon the Certificate of John B. West, a Notary Public in and for Lee County, State of Virginia

Teste. James W. Orr, Clerk



John D. Maynor et al

vs.  $\begin{cases} \text{Copy of Deeds} \\ \text{To Ball Land} \\ \text{Exhibits D.} \end{cases}$

N. H. H. Smith et al



This deed made this , 23d, day of December 1875 between James Miles, of the first part, and Henry J Morgan , of the other part, all of the County of Lee, and State of Virginia Witnesseth, That the said James Miles, for and in consideration of the sum of two hundred dollars, to him in hand paid by the said Henry J. Morgan, the receipt of which is hereby acknowledged, he, the said Miles doth by these presents bargain , sell, deliver, and convey unto the said Morgan a certain piece or parcel of land, lying and being in the said county adjoining the town of Jonesville, containing about one half acre be the same more or less , being the same lot of land on which said Miles now lives, adjoining the land of said Morgan, the land of Henry C. Joslyn & fronting the back streets of said town, To have and to hold the said lot or parcel of land with all its appurtenances unto the said Henry J. Morgan and his heirs forever , and the said James Miles doth hereby covenant that he has good right and title thereto, that the same is unencumbered and will warrant generally the title to the same, and the said Miles further agrees to give the said Morgan possession thereof on or before the 10th day of March next, and that he will take good care of said lot and appurtenances.

Witness the following signatures and seals

James Miles. (seal)

Virginia, Lee County to wit:- I John B. West, a Notary Public in and for the county aforesaid, in the State of Virginia, do hereby certify that the foregoing indenture of bargain and sale for land from James Miles whose name is signed thereto to Henry J. Morgan, bearing date December 23rd 1875 , was this day acknowledged before me by the said Miles in my County aforesaid.

Given under my hand this, 23rd day of December 1875

John B. West N.P.

Virginia, Lee County court clerk's office the 22 day of March 1877. The foregoing deed from James Miles of the one part, to Henry J. Morgan , of the other part, both of Lee County Virginia, was this day admitted to record upon the certificate of John B. West, a Notary Public in and for the county and State aforesaid

Teste. R. W. Orr Jr. D.C.



John D. Myon et al

✓ Copy of  
decs to  
Miles L & of  
Log Office  
Exhibit "F"

W. H. H. Smith et al



This deed made this 17th day of Sept. 1886 between William A. Smith and Mary L. Smith his wife and John M. Morgan of the first part & Henry J. Morgan of the second part, all of the county of Lee State of Virginia Witnesseth that in consideration of the Sum of five hundred & fifty dollars in hand paid the receipt of which is hereby acknowledged the said William A. Smith and Mary L. Smith his wife do hereby these presents give grant bargain sell deliver and convey unto said Henry J. Morgan three certain lots or parcels of land adjoining each other lying and being in said county of Lee and near the town of Jonesville and on which said Smith and wife now live containing from one and a half to two and a half acres as is supposed. One of which lots is that part of the old Billy Davidson property not sold by said Smith to Joslyn & Morgan and John A. G. Hyatt another of said lots is known as the Whitt Orr lot and embraces the spring and big elm tree and the third is known as the John Henderson lot and lies between the second lot above mentioned and M. D. Richmonds land & the three said lots bounded substantially as follows to wit Beginning on a stake in the middle of the main road corner to the lot now owned W. S. Crowell thence with his line, until it strikes M. D. Richmond's line, thence a northward course with said Richmonds line to the old Couk line thence westwardly or Southwestwardly with the Couk line to a stake in the middle of the <sup>main</sup> road and thence with the middle of the said road as it meanders to the Beginning. To have and to hold the same with all the appurtenances unto the said Henry J. Morgan and his heirs forever and the said William A. Smith and wife covenant that they have good right and title to the said three lots that they are not encumbered and that they will warrant generally the title to the same, and these lots having been conveyed by said Smith and wife by deed dated March the 13th 1885 to John M. Morgan in trust to secure certain debts due Henry J. Morgan and these debts having been settled and paid off by this conveyance therefore the said John M. Morgan doth by these presents grant release and convey unto said Henry J. Morgan all the right interest and title Vested in him by virtue of said Trust deed and said Smith and wife agree



(2)

and bind themselves to give said Henry J. Morgan free and full possession of said three lots and appurtenances on or before the 1st day of Oct 1886.

Witness the following signatures & seals.

Wm. A. Smith (seal)

Mary L. Smith (seal)

Jno. M. Morgan Trustee (seal)

Virginia Lee County towit

I John R Gibson clerk of the county court of Lee County in the state aforesaid do certify that William A. Smith and Mary L. Smith his wife and John M. Morgan whose names are signed to the foregoing writing bearing date September the 17 1886 each personally appeared before me in my county and acknowledged the said writing to be their joint act and deed and Mary L. Smith wife of the said William A. Smith being examined by me privily and apart from her husband and having the deed aforesaid fully explained to her declared that she had willingly signed and executed the same and does not wish to retract it.

Given under my hand this 18th day of Sept 1886.

John R. Gibson, Clerk.

Virginia Lee County towit, I John R. Gibson clerk of the county court for the county aforesaid, in the state of Virginia, do certify that John M. Morgan whose name is signed to the writing above, bearing date on the 17 day of September 1886, has acknowledged the same before me, in my county aforesaid, and said deed is admitted to record. Given under my hand this 31 day of July 1891

John R. Gibson Clerk.



John D. Morgan et al  
vs Copy of Deed  
to Doubledtrot  
Exhibit "A"

W. H. Smith et al



COPY.

This deed made this 6th day of July 1888 between John R. Gibson trustee as hereinafter stated of the first part and Henry J. Morgan of the other part, both of the county of Lee Virginia. Witnesseth- that whereas one Alexander Clark and Sarah Clark his wife on the 26th day of January 1888 did convey to the said Gibson as trustee a certain tract or parcel of land lying and being in the said county of Lee on the town branch near C.F. Couk's Tan yard about one half mile North East of the Court house and being the same lot of land conveyed to said Alexr. Clark by C.T. Duncan and once belonged to the estate of Chas Couk dec'd, for a more particular description of said lot reference is here made to the title papers of said Alexander Clark now of record in the clerks office of Lee County, to secure a debt therein mentioned due S.V.F. Richmond by note on bond bearing date Aug 4th 1887 and payable April 1st 1888. And whereas the said Alexander Clark having failed to pay or cause to be paid said note and interest nor any part of it I as trustee aforesaid did pursuant to the terms of said deed of trust on the 5th day of July 1888, that being court day, after having advertised said land for sale thirty days prior thereto proceeded to sell said land to the highest bidder at the front door of the Courthouse of said county, and the said Henry J. Morgan having bid the sum of \$108. 32 that being the principle and interest of said debt and costs of sale, and that being the highest and best bid. Now in consideration of the premises as well as the sum of \$108. 32 in hand paid the said Gibson doth by these presents bargain, sell, deliver. and convey unto the said Henry J. Morgan said lot or parcel of land hereby transferring to him all the right and title vested in said Gibson by virtue of said deed of Trust, To have and to hold the same with all the appurtenances, But acting ~~XXXXXX~~ as trustee the said Gibson will warrant specially the land hereby conveyed

Witness the following Signatures and seal the day and year first above written.

John R. Gibson, Trustee (seal)



State of Virginia Lee County to wit.

I, J.A.G. Hyatt Clerk of the circuit court in and for the county of Lee in the State aforesaid do certify the John R. Gibson Trustee whose name is signed to the writing above bearing date July 6th 1888 has acknowledged the same before me in my office and county aforesaid . Given under my hand this the 8th day of April 1893

J.A.G. Hyatt. Clerk

Virginia Lee county to wit,

In the office of the clerk of the said county the 8th day of April 1893 this deed was presented and together with the certificate thereto annexed admitted to record.

Teste. John R. Gibson, Clerk.



John Mayors et al  
v { Copy of Book  
v { to Lord Lot  
v { Exhibit "I."

N. H. H. Smith et al



COPY.

This deed made thid the 14th day of November 1893, between John A.G.Hyatt speciall commissioner as hereinafter stated of the first part and H.J.Morgan of the second part both of the county of Lee, State of Virginia.

Witnesseth that by a decree of ~~the xxxxxxxxxx~~ Circuit Court of Lee county entered of record on the 10th day of Nov. 1893 in the Chancery cause of H.C.Woodward for &c , Plff , and Swan & Claibourn Hamblen , Defs. the ~~said~~ John A.G.Hyatt was appointed Commissioner for the purpose and directed to parvey with covenants of special warranty th e 43 acre~~s~~ tract of land in the bill mentioned to the said Henry J. Morgan, In consideration of the premises and of one dollar in hand paid , the receipt of which is hereby acknowledged the said John A.G.Hyatt doth by these presents give, grant , bargain, sell ~~xxxxxx~~ release and convey unto the sai d Henry J. Morgan a certain tract or parcel of land lying and being in said county of Lee and on the head waters of Town Branch about a mile and a half north of the town of Jonesville , and is supposed to contain 43 acres be the same more or less, and the same is bounded as follows towit: Beginning at an ash on the west side of a spring branch not far below the head of the spring ran N 87 1/2 E 170 poles to a stake in the Garrett line near the top of the chestnut Ridge and two poles southward from a black Oak said Garrett line marked as a corner , S 11 1/2 E 47 poles to a stake in said line where it crosses an old wagon road, S 66 1/2 W 17 1/2 poles to two poplars and chestnut near said road a corner to the Fishers survey, and with the Fisher line N 78 3/4 W 96 poles to a large dead black oak a ~~xxxxxxx~~ Fisher corner( we marked two Chestnuts, hockory, and dogwood) S 50 W 13 1/2 poles to a stake corner to the Jester Cox survey, And S 84 3/4 W 63 poles to a stake in the road and along same N 3 W 20 poles to a beech on the west side of said road, N 13 E 16 poles to the Beginning. To have and to hold said tract or parcel of land with all its appurtenances unto the said Henry J. Morgan and his heirs forever and the said John A.G.Hyatt covenants that he will warrant anly specially the title ~~xxxxx~~ to the said tract of land

Witness the following signature and seal. J.A.G.Hyatt(seal)



(8)

Virginia Lee County court towit:

I, S.V.F.Richmond , clerk of the County Court of Lee County and State aforesaid do certify that John A.G.Hyatt whose name is signed to the foregoing writing bearing date the 14th day of Nov 1893 has acknowledged the same before me in the County aforesaid and the same is thereupon admitted to record

Given under my hand ~~xxxxxxx~~ the 14 day of Nov. 1893

S.V.F.Richmond Clerk.



COPY.

In consideration of Twenty five dollars to G.W.Russell in hand paid by Henry J. Morgan the receipt of

which is hereby acknowledged and the payment of said sum of money to said G.W.Russell is hereby approved and ratified by all the parties whose names are signed hereto, the said parties whose names are signed hereto do ~~certify~~ by these presents give grant bargain sell release and convey unto said Henry J. Morgan any and all interest right title and claim which they or any of them may have in and to that small strip of land recently enclosed by said Morgan in his lower Meadow, or what said Morgan now calls his Eagle farm, lying on the town branch about one mile from Jonesville, and said little strip is supposed to contain one half acres and embraces the bed of the old road. To have and to hold the same with all its appurtenances unto said Morgan and his heirs forever

Witness the following signatures and seals this 8 th day of September 1897

His  
D.S.Hamblen (seal  
mark

his  
Claib Hamblen (seal)  
mark

A.L.Russell (seal)

Geo. W.Russell. (seal)

D.C.Sewell (seal)

Virginia Lee County, to wit:-

I, C.E.Couk a Notary Public in and for the county and state aforesaid do certify that D.S.Hamblen, Claib Hamblen, A.L.Russell, Geo.W.Russell, & D.C.Sewell whose names are signed to the foregoing writing bearing date Sept. 8, 1897, have each acknowledged the same before me in my county and state aforesaid, this Sept. 8, 1897.

C.E.Couk. N.P.

Virginia Lee County to wit:-

In the office of the Clerk of the County Court for said County, the 10th day of July, 1899. This deed was presented and, together with the certificate thereto annexed admitted to record.

Teste: B.M.Morgan, Clerk.



John D. Mayors et al  
v s Copy of Deeds  
Woodward & Truxt  
Exhibit K.

H. H. H. Smith et al



This deed , made this 7th day of November 1900 between Robt. L. Pennington, ~~Special Commissioner of the County of Lee, State of Virginia~~ and Henry J. Morgan, of the County of Lee, State of Virginia, party of the first part, and Henry J. Morgan, of the County of Lee, State of Virginia, party of the second part:

Whereas by a decree of the circuit Court of the county of Lee entered on the 8th day of June 1900 in the chancery causes entitled Henry J. Morgan vs William Pennington et al and Greer McBy Co. vs Wm. Pennington et al. <sup>de</sup> therein pending, it was among other things, adjudged, ordered and decreed that Robt. L. Pennington, who was thereby appointed Special commissioner, for the purpose, shall sell by public auction, after certain advertisement, and upon certain terms in the said decree fully set forth, certain real estate therein described; and

Whereas the said Robt. L. Pennington pursuant to the decree did on the 20th day of August 1900 after having duly advertised the same in accordance with the terms of the said decree, offer for sale by public auction the following described real estate, To wit: 1st, a tract <sup>lands</sup> of land situated in the Poor Valley & being the same that was purchased by Wm. Pennington from James M. Parsons and conveyed by C.R. Vance to him, by deed dated Nov. 1, 1892 To which deed reference is made for a more particular description and to the following other deeds to wit: Deed of Feby. 27, 1873 from Wm. Pennington to Wm. Burgan, record in the Co. court Clerk's office: deed of the heirs of William Burgan to William Pennington Recorded in D.B. 31, page 435.

2nd. A one seventh undivided interest in the land derived from Patty Graham by partition of the lands of David Pennington, which undivided interest descended to William Pennington as heir at law of said Petsey Graham, and which is situated in the pocket & fully described by plat and report of Partition on record in the office of the county court Clerk of Lee County.



At which sale the said Henry J. Morgan made the last and highest bid therefor , and became the purchaser thereof at the -price of One hundred and Eighty dollars; and

Whereas the said sale was duly reported to the Court by the said Special Commissioner, and was by another decree , entered in the said causes on the 7th day of Nov, 1900 by the said court , approved and confirmed ; and

Whereas the said Henry J. Morgan hath paid the whole of the said purchase money, which payment was duly reported to the said Court ; and whereupon another decree entered by the said court in the said causes on the 7th of Nov. 1900 , the said Robt.L. Pennington appointed special Commissioner to execute and deliver to the said Henry J Morgan , a good and sufficient deed , with special warranty conveying the said real estate to H.J.Morgan In fee simple.

Now, ~~THREFORE~~ THE DEED WITNESSETH, That for and in consideration of the premises , and in obedience to the said last mentioned decree , the said Robt.L.Pennington Special Commissioner as aforesaid , doth grant unto the said H.J.Morgan with special warranty, the real estate hereinbefore fully described.

Witness the following Signature and seal,

Robt L. Pennington (seal)

State of Virginia, County of Lee, towit:

I, B.M.Morgan, clerk of the County Court for the county aforesaid, in the state of Virginia, do certify that Robt.L.Pennington whose name is signed to the writing hereto annexed , bearing date on the ~~xxix~~ 7th day of Nov. 1900 hath acknowledged the same before me in my county aforesaid. Given under my hand this 7th day of Nov 1900.

B.M.Morgan clerk.

Virginia Lee County towit:

In the county Court Clerk's Office of the county of Lee the 6th day of February 1901 : This deed being properly stamped was this day presented to me in my said office, and, with the certificate annexed, admitted to record at 1 o'clock P.M.  
Teste: B.M.Morgan, Clerk.



John D. May or it also

US. { Copies of Decs  
      { to Byron land  
      { Poor Valley  
      { Exhibits "M."

W. H. H. Smith it also



In the Clerk's Office of the Circuit Court of the county of Lee, on the 15<sup>th</sup>  
day of June, 1905

John D. Morgan et al  
against

Plaintiff &

In Chancery

W. H. A. Smith et al

Defendant &

The object of this suit is ~~to~~ (1) to Partition between the estate of H. J. Morgan and James D. Morgan the lands owned by them jointly; (2) to Partition between the heirs of H. J. Morgan the lands owned by him, or have the same sold and the proceeds divided between said heirs according to their several shares, as the Court may in its judgment deem best.

And an affidavit having been made and filed that the defendants W. H. A. Smith, D. A. Smith, Victoria Morrison, R. Lee Woodward, Mary E. Bunday, Ed Mark Woodward are not residents of the State of Virginia, it is ordered that they do appear here within 15 days after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed

by law.

A copy—Teste:

Cunnington Bros.

p. q.

J. C. Ewing  
By M. E. Hawley, D.C.

Clerk.







In the Clerk's Office of the Circuit Court of the County of  
Lee

John D. Morgan et al  
against

Plaintiff &

In Chancery

W. S. Smith et al

Defendant &

This day Robt. L. Remington personally appeared

before me, W. E. Hanary, a Deputy Clerk of the said Court,

and being duly sworn, made oath that

W. S. Smith, R. L. Smith, Victoria

Morrison, R. Lee Woodward, Mary E. Bunday & Mark Woodward-

defendant & in the said suit are not resident & of the State of Virginia,

Given under my hand as, Deputy Clerk of the said Court, this

15<sup>th</sup> day of June 1908

W. E. Hanary, D. Clerk.



*John D. Morgan et al*

vs.

{

AFFIDAVIT FOR ORDER

OF

PUBLICATION.

*W. H. Smith et al*

*Cunnington Bros. p. q.*



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*W. H. Smith, D. H. Smith,  
Victoria Morrison, R. Lee Woodward, Ma-  
ry E. Bunday, and Mark Woodward*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on  
the *1st* Monday in *August*, 190*5*, to answer a bill in chancery exhibited against *them*

*in our said Court by John D. Morgan,  
B. M. Morgan, James D. Morgan, C. F. Smith,  
Mary M. Carter, Elizabeth J. Ramsey, Mar-  
tha Ely and N. M. Woodward.*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *15th*  
day of *June*, 190*5*, and *29th* year of the Commonwealth.

A Copy, Teste:

*H. C. T. Ewing*, Clerk.

\_\_\_\_\_, Clerk.



John D. Morgan et al

VS

}

SUBPCENA  
IN  
CHANCERY.

W. H. Smith et al

Re Bros. p. q

To

1st August. Rules.

Lee Circuit Court.

1905



## Order of Publication

VIRGINIA:—

In the Clerk's Office of the Circuit court of the county of Lee, on the 15th day of June 1905

John D Morgan et al., Plaintiffs  
Against  
W H H Smith et al., Defendants  
In Chancery

The object of this suit is [1] to partition between the estate of H J Morgan and James D Morgan the lands owned jointly by them; [2] to partition between the heirs of H J Morgan the lands owned by him, or have the same sold and the proceeds divided between said heirs according to their several shares, as the court may deem best. And an affidavit having been made and filed that the defendants W H H Smith, D H Smith, Victoria Morison, R Lee Woodward, Mary E Bunday and Mark Woodward are not residents of the State of Virginia, it is ordered that they do appear here within 15 days after due publication hereof, and do what may be necessary to protect their interests in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed by law

A copy--Teste:

H C T Ewing, Clerk

By M E Flanary, D C

Pennington Bros., p q

n31 4t



John D. Morgan

vs

W. H. Smith



I, J. C. Bortleson, Editor  
of The Jonesville Star, a weekly newspaper  
published in the county of Lee, state of Virginia,  
do hereby certify that the enclosed notice was  
published in said paper once a week for four  
successive weeks, commencing on the 22  
day of June 1905

J. C. Bortleson, Editor.

FEE \$ 7.50